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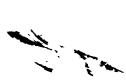
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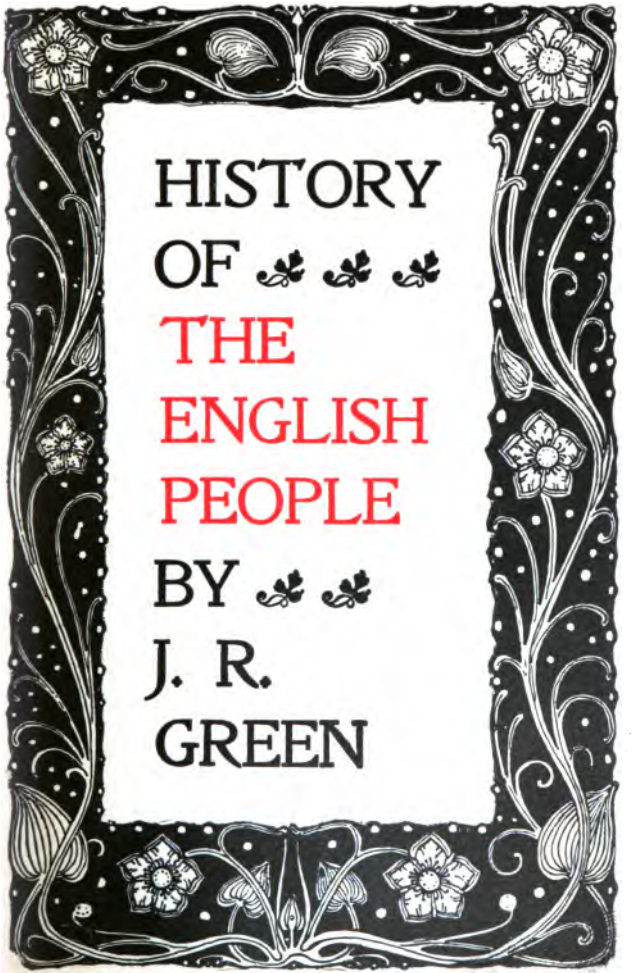
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BOOK & PUBLISHING COMPANY : NEW YORK

HISTORY

OF THE

ENGLISH PEOPLE

BY

JOHN RICHARD GREEN, M. A.

IN FIVE VOLUMES

VOLUME I.

NEW YORK:
INTERNATIONAL BOOK AND PUBLISHING CO.
1899

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TO TWO DEAR FRIENDS

MY MASTERS IN THE STUDY OF ENGLISH HISTORY

EDWARD AUGUSTUS FREEMAN

AND

WILLIAM STUBBS

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THE ENGLISH PEOPLE.

BOOK I.

EARLY ENGLAND.

(449-1071.)

AUTHORITIES FOR BOOK I.

1. For the conquest of Britain by the English our authorities are scant and imperfect. The only extant British account is the "Epistola" of Gildas, a work written probably about A.D. 560. The style of Gildas is diffuse and inflated, but his book is of great value in the light it throws on the state of the island at that time, and as giving at its close what is probably the native story of the conquest of Kent. This is the only part of the struggle of which we have any record from the side of the conquered. The English conquerors, on the other hand, have left jottings of their conquest of Kent, Sussex, and Wessex in the curious annals which form the opening of the compilation now known as the "English" or "Anglo-Saxon Chronicle," annals which are undoubtedly historic, though with a slight mythical intermixture. For the history of the English conquest of mid-Britain or the Eastern Coast we possess no written materials from either side; and a fragment of the Annals of Northumbria embodied in the

later compilation ("Historia Britonum") which bears the name of Nennius alone throws light on the conquest of the North.

2. From these inadequate materials, however, Dr. Guest has succeeded by a wonderful combination of historical and archæological knowledge in constructing a narrative of the conquest of Southern and South-western Britain, which must serve as the starting-point for all future inquirers. This narrative, so far as it goes, has served as the basis of the account given in my text; and I can only trust that it may soon be embodied in some more accessible form than that of a series of papers in the Transactions of the Archæological Institute. In a like way, though Kemble's "Saxons in England" and Sir F. Palgrave's "History of the English Commonwealth" (if read with caution) contain much that is worth notice, our knowledge of the primitive constitution of the English people and the changes introduced into it since their settlement in Britain must be mainly drawn from the "Constitutional History" of Professor Stubbs. In my earlier book I had not the advantage of aid from this invaluable work, which was then unpublished; in the present I do little more than follow it in all constitutional questions as far as it has at present gone.

3. Bæda's "Historia Ecclesiastica Gentis Anglorum," a work of which I have spoken in my text, is the primary authority for the history of the Northumbrian over-lordship which followed the Conquest. It is by copious insertions from Bæda that the meager regnal and episcopal annals of the West Saxons

have been brought to the shape in which they at present appear in the part of the English Chronicle which concerns this period. The life of Wilfrid by Eddi, with those of Cuthbert by an anonymous contemporary and by Bæda himself, throw great light on the religious and intellectual condition of the North at the time of its supremacy. But with the fall of Northumbria we pass into a period of historical dearth. A few incidents of Mercian history are preserved among the meager annals of Wessex in the English Chronicle: but for the most part we are thrown upon later writers, especially Henry of Huntington and William of Malmesbury, who, though authors of the 12th century, had access to older materials which are now lost. A little may be gleaned from biographies such as that of Guthlac of Crowland; but the letters of Boniface and Alcwine, which have been edited by Jaffé in his series of "Monumenta Germanica," form the most valuable contemporary materials for this period.

4. From the rise of Wessex our history rests mainly on the English Chronicle. The earlier part of this work, as we have said, is a compilation, and consists of (1) Annals of the Conquest of South Britain, and (2) Short Notices of the Kings and Bishops of Wessex expanded by copious insertions from Bæda, and after the end of his work by brief additions from some northern sources. These materials may have been thrown together into their present form in Ælfred's time as a preface to the far fuller annals which begin with the reign of Æthelwulf, and which widen into a great contemporary history when they reach

that of Ælfred himself. After Ælfred's day the chronicle varies much in value. Through the reign of Eadward the Elder it is copious, and a Mercian chronicle is imbedded in it; it then dies down into a series of scant and jejune entries, broken, however, with grand battle-songs, till the reign of Æthelred, when its fullness returns.

5. Outside the chronicle we encounter a great and valuable mass of historical material for the age of Ælfred and his successors. The life of Ælfred which bears the name of Asser, puzzling as it is in some ways, is probably really Asser's work, and certainly of contemporary authority. The Latin rendering of the English Chronicle which bears the name of Æthelweard adds a little to our knowledge of this time. The laws, which form the base of our constitutional knowledge of this period, fall, as has been well pointed out by Mr. Freeman, into two classes. Those of Eadward, Æthelstan, Eadmund, and Eadgar are, like the earlier laws of Æthelberht and Ine, "mainly of the nature of amendments of custom." Those of Ælfred, Æthelred, Cnut, with those which bear the name of Eadward the Confessor, "aspire to the character of codes." They are printed in Mr. Thorpe's "Ancient Laws and Institutes of England," but the extracts given by Professor Stubbs in his "Select Charters" contain all that directly bears on our constitutional growth. A vast mass of charters and other documents belonging to this period has been collected by Kemble in his "Codex Diplomaticus Ævi Saxonici," and some are added by Mr. Thorpe in his "Diplomatarium Anglo-

Saxonicum." Dunstan's biographies have been collected and edited by Professor Stubbs in the series published by the Master of the Rolls.

6. In the period which follows the accession of Æthelred we are still aided by these collections of royal laws and charters, and the English Chronicle becomes of great importance. Its various copies indeed differ so much in tone and information from one another that they may to some extent be looked upon as distinct works, and "Florence of Worcester" is probably the translation of a valuable copy of the "Chronicle" which has disappeared. The translation, however, was made in the 12th century, and it is colored by the revival of national feeling which was characteristic of the time. Of Eadward the Confessor himself we have a contemporary biography (edited by Mr. Luard for the Master of the Rolls), which throws great light on the personal history of the king and on his relations to the house of Godwine.

7. The earlier Norman traditions are preserved by Dudo of St. Quentin, a verbose and confused writer, whose work was abridged and continued by William of Jumièges, a contemporary of the Conqueror. William's work in turn served as the basis of the "Roman de Rou," composed by Wace in the time of Henry the Second. The primary authority for the Conqueror himself is the "Gesta Williemi" of his chaplain and violent partisan, William of Poitiers. For the period of the invasion, in which the English authorities are meager, we have besides these the contemporary "Carmen de Bello Hastingensi," by Guy, bishop of Amiens, and the pictures in the Ba-

yeux Tapestry. Orderic, a writer of the 12th century, gossipy and confused, but honest and well informed, tells us much of the religious movement in Normandy, and is particularly valuable and detailed in his account of the period after the battle of Senlac. Among secondary authorities for the Norman Conquest, Simeon of Durham is useful for northern matters, and William of Malmesbury worthy of note for his remarkable combination of Norman and English feeling. Domesday Book is, of course, invaluable for the Norman settlement. The chief documents for the early history of Anjou have been collected in the "Chroniques d'Anjou," published by the Historical Society of France. Those which are authentic are little more than a few scant annals of religious houses; but light is thrown on them by the contemporary French chronicles. The "Gesta Comitum" is nothing but a compilation of the 12th century, in which a mass of Angevin romance as to the early story of the counts is dressed into historical shape by copious quotations from these French historians.

8. It is possible that fresh light may be thrown on our earlier history when historical criticism has done more than has yet been done for the materials given us by Ireland and Wales. For Welsh history the "Brut-y-Tywysogion" and the "Annales Cambriæ" are now accessible in the series published by the Master of the Rolls; the "Chronicle of Caradoc of Lancarvan" is translated by Powel; the Mabinogion, or Romantic Tales, have been published by Lady Charlotte Guest; and the Welsh laws collected by

the Record Commission. The importance of these, as embodying a customary code of very early date, will probably be better appreciated when we possess the whole of the Brehon Laws, the customary laws of Ireland, which are now being issued by the Irish Laws Commission, and to which attention has justly been drawn by Sir Henry Maine ("Early History of Institutions") as preserving Aryan usages of the remotest antiquity.

9. The enormous mass of materials which exists for the early history of Ireland, various as they are in critical value, may be seen in Mr. O'Curry's "Lectures on the Materials of Ancient Irish History;" and they may be conveniently studied by the general reader in the "Annals of the Four Masters," edited by Dr. O'Donovan. But this is a mere compilation (though generally a faithful one) made about the middle of the 17th century from earlier sources, two of which have been published in the Rolls series. One, the "Wars of the Gaedhil with the Gaill," is an account of the Danish wars which may have been written in the 11th century; the other, the "Annals of Loch Cé," is a chronicle of Irish affairs from the end of the Danish wars to 1590. The "Chronicon Scotorum" (in the same series) extends to the year 1150, and though composed in the 17th century is valuable from the learning of its author, Duald Mac-Firbis. The works of Colgan are to Irish church affairs what the "Annals of the Four Masters" are to Irish civil history. They contain a vast collection of translations and transcriptions of early saints' lives, from those of Patrick downwards. Adam-

nan's "Life of Columba" (admirably edited by Dr. Reeves) supplies some details to the story of the Northumbrian kingdom. Among more miscellaneous works we find the "Book of Rights," a summary of the dues and rights of the several over-kings and under-kings, of much earlier date probably than the Norman invasion; and Cormac's "Glossary," attributed to the 10th century, and certainly an early work, from which much may be gleaned of legal and social details, and something of the pagan religion of Ireland.

CHAPTER I.

THE ENGLISH CONQUEST OF BRITAIN.

449–577.

10. For the fatherland of the English race we must look far away from England itself. In the fifth century after the birth of Christ the one country which we know to have borne the name of Angeln or England lay within the district which is now called Sleswick, a district in the heart of the peninsula that parts the Baltic from the Northern seas. Its pleasant pastures, its black-timbered homesteads, its prim little townships looking down on inlets of purple water, were then but a wild waste of heather and sand, girt along the coast with a sunless woodland, broken here and there by meadows that crept down to the marshes and the sea. The dwellers in this district, however, seem to have been merely an

outlying fragment of what was called the Engle or English folk, the bulk of whom lay probably in what is now Lower Hanover and Oldenburg On one side of them the Saxons of Westphalia held the land from the Weser to the Rhine; on the other, the East-phalian Saxons stretched away to the Elbe. North again of the fragment of the English folk in Sleswick lay another kindred tribe, the Jutes, whose name is still preserved in their district of Jutland. Engle, Saxon, and Jute all belonged to the same Low German branch of the Teutonic family; and at the moment when history discovers them they were being drawn together by the ties of a common blood, common speech, common social and political institutions. There is little ground indeed for believing that the three tribes looked on themselves as one people, or that we can as yet apply to them, save by anticipation, the common name of Englishmen. But each of them was destined to share in the conquest of the land in which we live, and it is from the union of all of them when its conquest was complete that the English people has sprung.

11. Of the temper and life of the folk in this older England we know little. But from the glimpses that we catch of it when conquest had brought them to the shores of Britain their political and social organization must have been that of the German race to which they belonged. In their villages lay ready formed the social and political life which is round us in the England of to-day. A belt of forest or waste parted each from its fellow-villages, and within this boundary or mark the "township," as the village

was then called, from the "tun" or rough fence and trench that served as its simple fortification, formed a complete and independent body, though linked by ties which were strengthening every day to the townships about it and the tribe of which it formed a part. Its social center was the homestead where the æthel-ing or eorl, a descendant of the first English settlers in the waste, still handed down the blood and traditions of his fathers. Around this homestead or æthel, each in its little croft, stood the lowlier dwellings of freelings or ceorls, men sprung, it may be, from descendants of the earliest settler who had in various ways forfeited their claim to a share in the original homestead, or more probably from incomers into the village who had since settled round it and been admitted to a share in the land and freedom of the community. The eorl was distinguished from his fellow-villagers by his wealth and his nobler blood; he was held by them in a hereditary reverence; and it was from him and his fellow-æthelings that host-leaders, whether of the village or the tribe, were chosen in times of war. But this claim to precedence rested simply on the free recognition of his fellow-villagers. Within the township every freeman or ceorl was equal. It was the freeman who was the base of village society. He was the "free-necked man," whose long hair floated over a neck which had never bowed to a lord. He was the "weaponed man" who alone bore spear and sword, and who alone preserved that right of self-redress or private war which in such a state of society formed the main check upon lawless outrage.

12. Among the English, as among all the races of mankind, justice had originally sprung from each man's personal action. There had been a time when every freeman was his own avenger. But even in the earliest forms of English society of which we find traces this right of self-defense was being modified and restricted by a growing sense of public justice. The "blood-wite" or compensation in money for personal wrong was the first effort of the tribe as a whole to regulate private revenge. The freeman's life and the freeman's limb had each on this system its legal price. "Eye for eye," ran the rough code, and "life for life," or for each fair damages. We see a further step towards the modern recognition of a wrong as done not to the individual man but to the people at large in another custom of early date. The price of life or limb was paid, not by the wrong-doer to the man he wronged, but by the family or house of the wrong-doer to the family or house of the wronged. Order and law were thus made to rest in each little group of people upon the blood-bond which knit its families together; every outrage was held to have been done by all who were linked in blood to the doer of it, every crime to have been done against all who were linked in blood to the sufferer from it. From this sense of the value of the family bond as a means of restraining the wrong-doer by forces which the tribe as a whole did not as yet possess sprang the first rude forms of English justice. Each kinsman was his kinsman's keeper, bound to protect him from wrong, to hinder him from wrong-doing, and to suffer with him and pay for him if

wrong were done. So fully was this principle recognized that even if any man was charged before his fellow-tribesmen with crime his kinsfolk still remained in fact his sole judges, for it was by their solemn oath of his innocence or his guilt that he had to stand or fall.

13. As the blood-bond gave its first form to English justice, so it gave their first forms to English society and English warfare. Kinsmen fought side by side in the hour of battle, and the feelings of honor and discipline which held the host together were drawn from the common duty of every man in each little group of warriors to his house. And as they fought side by side on the field, so they dwelt side by side on the soil. Harling abode by Harling, and Billing by Billing; and each "wick" or "ham," or "stead" or "tun" took its name from the kinsmen who dwelt together in it. In this way the home or "ham" of the Billings was Billingham, and the "tun" or township of the Harlings was Harlington. But in such settlements the tie of blood was widened into the larger tie of land. Land with the German race seems at a very early time to have become everywhere the accompaniment of full freedom. The freeman was strictly the free-holder, and the exercise of his full rights as a free member of the community to which he belonged became inseparable from the posession of his "holding" in it. But property had not as yet reached that stage of absolutely personal possession which the social philosophy of a later time falsely regarded as its earliest state. The woodland and pasture-land of an English village were still

undivided, and every free villager had the right of turning into it his cattle or swine. The meadow-land lay in like manner open and undivided from hay-harvest to spring. It was only when grass began to grow afresh that the common meadow was fenced off into grass-fields, one for each household in the village; and when hay-harvest was over fence and division were at an end again. The plow-land alone was permanently allotted in equal shares both of corn land and fallow-land to the families of the free-men, though even the plow-land was subject to fresh division as the number of claimants grew greater or less.

14. It was this sharing in the common land which marked off the freeman or ceorl from the unfree man or læt, the tiller of land which another owned. As the ceorl was the descendant of settlers who, whether from their earlier arrival or from kinship with the original settlers of the village, had been admitted to a share in its land and its corporate life, so the læt was a descendant of later comers to whom such a share was denied, or in some cases, perhaps, of earlier dwellers from whom the land had been wrested by force of arms. In the modern sense of freedom the læt was free enough. He had house and home of his own, his life and limb was as secure as the ceorl's—save as against his lord. It is probable from what we see in later laws that as time went on he was recognized among the three tribes as a member of the nation, summoned to the folk-moot, allowed equal right at law, and called like the full free man to the hosting. But he was unfree as regards

law and land. He had neither part nor lot in the common land of the village. The ground which he tilled he held of some free man of the tribe to whom he paid rent in labor or in kind. And this man was his lord. Whatever rights the unfree villager might gain in the general social life of his fellow-villagers, he had no rights as against his lord. He could leave neither land nor lord at his will. He was bound to render due service to his lord in tillage or in fight. So long, however, as these services were done the land was his own. His lord could not take it from him; and he was bound to give him aid and protection in exchange for his services.

15. Far different from the position of the læt was that of the slave, though there is no ground for believing that the slave class was other than a small one. It was a class which sprang mainly from debt or crime. Famine drove men to "bend their heads in the evil days for meat"; the debtor, unable to discharge his debt, flung on the ground his freeman's sword and spear, took up the laborer's mattock, and placed his head as a slave within a master's hands. The criminal whose kinsfolk would not make up his fine became a crime-serf of the plaintiff or the king. Sometimes a father pressed by need sold children or wife into bondage. In any case the slave became part of the live-stock of his master's estate, to be willed away at death with horse or ox, whose pedigree was kept as carefully as his own. His children were bondsmen like himself; even a freeman's children by a slave mother inherited the mother's taint. "Mine is the calf that is born of my cow," ran an

English proverb. Slave cabins clustered round the homestead of every rich landowner; plowman, shepherd, goatherd, swineherd, oxherd and cowherd, dairymaid, barnman, sower, hayward and woodward, were often slaves. It was not, indeed, slavery such as we have known in modern times, for stripes and bonds were rare; if the slave was slain it was by an angry blow, not by the lash. But his master could slay him if he would; it was but a chattel the less. The slave had no place in the justice court, no kinsmen to claim vengeance or guilt-fine for his wrong. If a stranger slew him his lord claimed the damages; if guilty of wrong-doing, "his skin paid for him" under his master's lash. If he fled he might be chased like a strayed beast, and when caught he might be flogged to death. If the wrong-doer were a woman-slave she might be burned.

16. With the public life of the village, however, the slave had nothing, the læt in early day's little, to do. In its moot, the common meeting of its villagers for justice and government, a slave had no place or voice, while the læt was originally represented by the lord whose land he tilled. The life, the sovereignty of the settlement resided solely in the body of the freeman whose holdings lay round the moot-hill or the sacred tree where the community met from time to time to deal out its own justice or make its own laws. Here new settlers were admitted to the freedom of the township, and by-laws framed and headmen and tithing-men chosen for its governance. Here plow-land and meadow-land were shared in due lot among the villagers, and field and home-

stead passed from man to man by the delivery of a turf cut from its soil. Here strife of farmer with farmer was settled according to the "customs" of the township as its elder men stated them, and four men were hired to follow headmen or ealdormen to hundred-court or war. It is with a reverence such as is stirred by the sight of the head-waters of some mighty river that one looks back to these village-moots of Friesland or Sleswick. It was here that England learned to be a "mother of Parliaments." It was in these tiny knots of farmers that the men from whom Englishmen were to spring learned the worth of public opinion, of public discussion, the worth of the agreement, the "common sense," the general conviction to which discussion leads, as of the laws which derive their force from being expressions of that general conviction. A humorist of our own day has laughed at parliaments as "talking shops," and the laugh has been echoed by some who have taken humor for argument. But talk is persuasion, and persuasion is force. The "talk" of the village moot, the strife and judgment of men giving freely their own rede and setting it as freely aside for what they learn to be the wiser rede of other men, is the groundwork of English history.

17. Small, therefore, as it might be, the township or village was thus the primary and perfect type of English life, domestic, social, and political. All that England has been since lay there. But changes of which we know nothing had long before the time at which our history opens grouped these little commonwealths together in larger communities, whether we

name them tribe, people, or folk. The ties of race and kindred were no doubt drawn tighter by the needs of war. The organization of each folk, as such, sprang in all likelihood mainly from war, from a common greed of conquest, a common need of defense. Its form at any rate was wholly military. The folk-moot was in fact the war-host, the gathering of every freeman of the tribe in arms. The head of the folk, a head which existed only so long as war went on, was the leader whom the host chose to command it. Its witenagemote or meeting of wise men was the host's council of war, the gathering of those ealdormen who had brought the men of the villages to the field. The host was formed by levies from the various districts of the tribe; the larger of which probably owed their name of "hundreds" to the hundred warriors each originally sent to it. In historic times, however, the regularity of such a military organization, if it ever existed, had passed away, and the quotas varied with the varying customs of each district. But men, whether many or few, were still due from each district to the host, and a cry of war at once called town-reeve and hundred-reeve with their followers to the field.

18. The military organization of the tribe thus gave from the first its form to the civil organization. But the peculiar shape which its civil organization assumed was determined by a principle familiar to the Germanic races and destined to exercise a vast influence on the future of mankind. This was the principle of representation. The four or ten villagers who followed the reeve of each township to

the general muster of the hundred were held to represent the whole body of the township from whence they came. Their voice was its voice, their doing its doing, their pledge its pledge. The hundred-moot, a moot which was made by this gathering of the representatives of the townships that lay within its bounds, thus became at once a court of appeal from the moots of each separate village as well as of arbitration in dispute between township and township. The judgment of graver crimes and of life or death fell to its share; while it necessarily possessed the same right of law-making for the hundred that the village-moot possessed for each separate village. And as hundred-moot stood above town-moot, so above the hundred-moot stood the folk-moot, the general muster of the people in arms, at once war-host and highest law-court and general parliament of the tribe. But whether folk-moot or hundred-moot, the principle of representation was preserved. In both the constitutional forms, the forms of deliberation and decision were the same. In each the priests proclaimed silence, the ealdormen of higher blood spoke, groups of freemen from each township stood round, shaking their spears in assent, clashing shields in applause, settling matters in the end by loud shouts of "Aye" or "Nay."

19. Of the social or the industrial life of our fathers in this older England we know less than of their political life. But there is no ground for believing them to have been very different in these respects from the other German peoples who were soon to overwhelm the Roman world. Though their border

nowhere touched the border of the empire they were far from being utterly strange to its civilization. Roman commerce indeed reached the shores of the Baltic, and we have abundant evidence that the arts and refinement of Rome were brought into contact with these earlier Englishmen. Brooches, sword-belts, and shield-bosses which have been found in Sleswick, and which can be dated not later than the close of the third century, are clearly either of Roman make or closely modeled on Roman metal-work. The vessels of twisted glass which we know to have been in use at the tables of English and Saxon chieftains came, we can hardly doubt, from Roman glass-works. Discoveries of Roman coins in Sleswick peat-mosses afford a yet more conclusive proof of direct intercourse with the empire. But apart from these outer influences the men of the three tribes were far from being mere savages. They were fierce warriors, but they were also busy fishers and tillers of the soil, as proud of their skill in handling plow and mattock or steering the rude boat with which they hunted walrus and whale as of their skill in handling sword and spear. They were hard drinkers, no doubt, as they were hard toilers, and the "ale-feast" was the centre of their social life. But coarse as the revel might seem to modern eyes, the scene within the timbered hall which rose in the midst of their villages was often Homeric in its simplicity and dignity. Queen or eorl's wife with a train of maidens bore ale-bowl or mead-bowl round the hall from the high settle of king or ealdorman in the midst to the mead benches ranged around its walls, while

the gleeman sang the hero-songs of his race. Dress and arms showed traces of a love of art and beauty, none the less real that it was rude and incomplete. Rings, amulets, ear-rings, neck pendants, proved in their workmanship the deftness of the goldsmith's art. Cloaks were often fastened with golden buckles of curious and exquisite form, set sometimes with rough jewels and inlaid with enamel. The bronze boar-crest on the warrior's helmet, the intricate adornment of the warrior's shield, tell like the honor in which the smith was held their tale of industrial art. It is only in the English pottery, hand-made, and marked with coarse ziz-zag patterns, that we find traces of utter rudeness.

20. The religion of these men was the same as that of the rest of the German peoples. Christianity had by this time brought about the conversion of the Roman Empire, but it had not penetrated as yet among the forests of the north. The common god of the English people was Woden, the war-god, the guardian of ways and boundaries, to whom his worshipers attributed the invention of letters, and whom every tribe held to be the first ancestor of its kings. Our own names for the days of the week still recall to us the gods whom our fathers worshiped in their German homeland. Wednesday is Woden's-day, as Thursday is the day of Thunder, the god of air and storm and rain. Friday is Frea's-day, the deity of peace and joy and fruitfulness, whose emblems, borne aloft by dancing maidens, brought increase to every field and stall they visited. Saturday commemorates an obscure god, Sætere; Tuesday the dark god, Tiw,

to meet whom was death. Eostre, the god of the dawn or of the spring, lends his name to the Christian festival of the Resurrection. Behind these floated the dim shapes of an older mythology; "Wyrd," the death-goddess, whose memory lingered long in the "Weird" of northern superstition; or the Shield-Maidens, the "mighty women" who, an old rhyme tells us, "wrought on the battle-field their toil and hurled the thrilling javelins." Nearer to the popular fancy lay deities of wood and fell or hero-gods of legend and song; Nicor, the water-sprite who survives in our nixies and "Old Nick;" Weland, the forger of weighty shields and sharp-biting swords, who found a later home in the "Weyland's smithy" of Berkshire; Egil, the hero-archer, whose legend is one with that of Cloudesly or Tell. A nature-worship of this sort lent itself ill to the purposes of a priesthood; and though a priestly class existed it seems at no time to have had much weight among Englishmen. As each freeman was his own judge and his own lawmaker, so he was his own house-priest; and English worship lay commonly in the sacrifice which the house-father offered to the gods of his hearth.

21. It is not, indeed, in Woden-worship or in the worship of the older gods of flood and fell that we must look for the real religion of our fathers. The song of Beowulf, though the earliest of English poems, is as we have it now a poem of the eighth century, the work it may be of some English missionary of the days of Bæda and Boniface who gathered in the very homeland of his race the legends of

its earlier prime. But the thin veil of Christianity which he has flung over it fades away as we follow the hero-legend of our fathers; and the secret of their moral temper, of their conception of life, breathes through every line. Life was built with them not on the hope of a hereafter, but on the proud self-consciousness of noble souls. "I have this folk ruled these fifty winters," sings a hero-king as he sits death-smitten beside the dragon's mound. "Lives there no folk-king of kings about me—not any one of them—dare in the war-strife welcome my onset! Time's change and chances I have abided, held my own fairly, sought not to snare men; oath never sware I falsely against right. So for all this may I glad be at heart now, sick though I sit here, wounded with death-wounds!" In men of such a temper, strong with the strength of manhood and full of the vigor and the love of life, the sense of its shortness and of the mystery of it all woke chords of a pathetic poetry. "Soon will it be," ran the warning rhyme, "that sickness or sword-blade shear thy strength from thee, or the fire ring thee, or the flood whelm thee, or the sword grip thee, or arrow hit thee, or age o'ertake thee, and thine eye's brightness sink down in darkness." Strong as he might be, man struggled in vain with the doom that encompassed him, that girded his life with a thousand perils and broke it at so short a span. "To us," cries Beowulf in his last fight—"to us it shall be as our weird betides, that weird that is every man's lord!" But the sadness with which these Englishmen fronted the mysteries of life and death had nothing in it of the

unmanly despair which bids men eat and drink, for to-morrow they die. Death leaves man man and master of his fate. The thought of good fame, of manhood, is stronger than the thought of doom. "Well shall a man do when in the strife he minds but of winning longsome renown, nor for his life cares!" "Death is better than life of shame!" cries Beowulf's sword-fellow. Beowulf himself takes up his strife with the fiend, "go the weird as it will." If life is short, the more cause to work bravely till it is over. "Each man of us shall abide the end of his life-work; let him that may work, work his doomed deeds ere death come!"

22. The energy of these people found vent in a restlessness which drove them to take part in the general attack of the German race on the Empire of Rome. For busy tillers and busy fishers as Englishmen were, they were at heart fighters, and their world was a world of war. Tribe warred with tribe, and village with village; even within the township itself feuds parted household from household, and passions of hatred and vengeance were handed on from father to son. Their mood was above all a mood of fighting men, venturesome, self-reliant, proud, with a dash of hardness and cruelty in it, but ennobled by the virtues which spring from war, by personal courage and loyalty to plighted word, by a high and stern sense of manhood and the worth of man. A grim joy in hard fighting was already a characteristic of the race. War was the Englishman's "shield-play" and "sword-game"; the gleeman's verse took fresh fire as he sang of the rush

of the host and the crash of the shield-line. Their arms and weapons, helmet and mailshirt, tall spear and javelin, sword and seax, the short, broad dagger that hung at each warrior's girdle, gathered to them much of the legend and the art which gave color and poetry to the life of Englishmen. Each sword had its name like a living thing. And next to their love of war came their love of the sea. Everywhere throughout Beowulf's song, as everywhere throughout the life that it pictures, we catch the salt whiff of the sea. The Englishman was as proud of his sea-craft as of his war-craft; sword in teeth he plunged into the sea to meet walrus and sea-lion; he told of his whale-chase amid the icy waters of the north. Hardly less than his love for the sea was the love he bore to the ship that traversed it. In the fond playfulness of English verse the ship was "the wave-floater," "the foam-necked," "like a bird" as it skimmed the wave-crest, "like a swan" as its curved prow breasted the "swan-road" of the sea.

23. Their passion for the sea marked out for them their part in the general movement of the German nations. While Goth and Lombard were slowly advancing over the mountain and plain the boats of the Englishmen pushed faster over the sea. Bands of English rovers, outdriven by stress of fight, had long found a home there, and lived as they could by sack of vessel or coast. Chance has preserved for us in a Sleswick peat-bog one of the war-keels of these early pirates. The boat is flat-bottomed, seventy feet long and eight or nine feet wide, its sides of oak boards fastened with bark ropes and iron bolts.

Fifty oars drove it over the waves with a freight of warriors whose arms, axes, swords, lances, and knives were found heaped together in its hold. Like the galleys of the Middle Ages such boats could only creep cautiously along from harbor to harbor in rough weather; but in smooth water their swiftness fitted them admirably for the piracy by which the men of these tribes were already making themselves dreaded. Its flat bottom enabled them to beach the vessel on any fitting coast; and a step on shore at once transformed the boatmen into a war-band. From the first the daring of the English race broke out in the secrecy and suddenness of the pirates' swoop, in the fierceness of their onset, in the careless glee with which they seized either sword or oar. "Foes are they," sang a Roman poet of the time, "fierce beyond other foes and cunning as they are fierce; the sea is their school of war and the storm their friend; they are sea-wolves that prey on the pillage of the world!"

24. Of the three English tribes the Saxons lay nearest to the Empire, and they were naturally the first to touch the Roman world; before the close of the third century, indeed, their boats appeared in such force in the English Channel as to call for a special fleet to resist them. The piracy of our fathers had thus brought them to the shores of a land which, dear as it is now to Englishmen, had not as yet been trodden by English feet. This land was Britain. When the Saxon boats touched its coast the island was the westernmost province of the Roman Empire. In the fifty-fifth year before Christ a descent of

Julius Cæsar revealed it to the Roman world; and a century after Cæsar's landing the Emperor Claudius undertook its conquest. The work was swiftly carried out. Before thirty years were over the bulk of the island had passed beneath the Roman sway and the Roman frontier had been carried to the Firths of Forth and of Clyde. The work of civilization followed fast on the work of the sword. To the last, indeed, the distance of the island from the seat of empire left her less Romanized than any other province of the west. The bulk of the population scattered over the country seem in spite of imperial edicts to have clung to their old law as to their old language, and to have retained some traditional allegiance to their native chief. But Roman civilization rested mainly on city life, and in Britain as elsewhere the city was thoroughly Roman. In towns such as Lincoln or York, governed by their own municipal officers, guarded by massive walls, and linked together by a network of magnificent roads which reached from one end of the island to the other, manners, language, political life, all were of Rome.

25. For three hundred years the Roman sword secured order and peace without Britain and within, and with peace and order came a wide and rapid prosperity. Commerce sprang up in ports, among which London held the first rank; agriculture flourished till Britain became one of the corn-exporting countries of the world; the mineral resources of the province were explored in the tin mines of Cornwall, the lead mines of Somerset or Northumberland, and the iron mines of the Forest of Dean. But evils

which sapped the strength of the whole empire told at last on the province of Britain. Wealth and population alike declined under a crushing system of taxation, under restrictions which fettered industry, under a despotism which crushed out all local independence. And with decay within came danger from without. For centuries past the Roman frontier had held back the barbaric world beyond it—the Parthian of the Euphrates, the Numidian of the African desert, the German of the Danube or the Rhine. In Britain a wall drawn from Newcastle to Carlisle bridled the British tribes, the Picts as they were called, who had been sheltered from Roman conquest by the fastnesses of the Highlands. It was this mass of savage barbarism which broke upon the empire as it sank into decay. In its western dominions the triumph of these assailants was complete. The Franks conquered and colonized Gaul. The West-Goths conquered and colonized Spain. The Vandals founded a kingdom in Africa. The Burgundians encamped in the border-land between Italy and the Rhone. The East-Goths ruled at last in Italy itself.

26. It was to defend Italy against the Goths that Rome in the opening of the fifth century withdrew her legions from Britain, and from that moment the province was left to struggle unaided against the Picts. Nor were these its only enemies. While marauders from Ireland, whose inhabitants then bore the name of Scots, harried the west, the boats of Saxon pirates, as we have seen, were swarming off its eastern and southern coasts. For forty years Britain held bravely

out against these assailants; but civil strife broke its powers of resistance, and its rulers fell back at last on the fatal policy by which the empire invited its doom while striving to avert it—the policy of matching barbarian against barbarian. By the usual promises of land and pay a band of warriors was drawn for this purpose from Jutland in 449, with two ealdormen, Hengest and Horsa, at their head. If by English history we mean the history of Englishmen in the land which from that time they made their own, it is with this landing of Hengest's warband that English history begins. They landed on the shores of the Isle of Thanet at a spot known since as Ebbsfleet. No spot can be so sacred to Englishmen as the spot which first felt the tread of English feet. There is little to catch the eye in Ebbsfleet itself, a mere lift of ground with a few gray cottages dotted over it, cut off nowadays from the sea by a reclaimed meadow and a sea-wall. But taken as a whole the scene has a wild beauty of its own. To the right the white curve of Ramsgate cliffs looks down on the crescent of Pegwell Bay; far away to the left across gray marsh-levels where smoke-wreaths mark the site of Richborough and Sandwich the coast-line trends dimly towards Deal. Everything in the character of the spot confirms the national tradition which fixed here the landing-place of our fathers; for the physical changes of the country since the fifth century have told little on its main features. At the time of Hengest's landing a broad inlet of sea parted Thanet from the mainland of Britain; and through this inlet

the pirate boats would naturally come sailing with a fair wind to what was then the gravel-spit of Ebbsfleet.

27. The work for which the mercenaries had been hired was quickly done, and the Picts are said to have been scattered to the winds in a battle fought on the eastern coast of Britain. But danger from the Pict was hardly over when danger came from the Jutes themselves. Their fellow-pirates must have flocked from the Channel to their settlement in Thanet; the inlet between Thanet and the mainland was crossed, and the Englishmen won their first victory over the Britons in forcing their passage of the Medway at the village of Aylesford. A second defeat at the passage of the Cray drove the British forces in terror upon London; but the ground was soon won back again, and it was not till 465 that a series of petty conflicts which had gone on along the shores of Thanet made way for a decisive struggle at Wippedsfleet. Here, however, the overthrow was so terrible that from this moment all hope of saving Northern Kent seems to have been abandoned, and it was only on its southern shore that the Britons held their ground. Ten years later, in 475, the long contest was over, and with the fall of Lymne, whose broken walls look from the slope to which they cling over the great flat of Romney Marsh, the work of the first English conquerer was done.

28. The warriors of Hengest had been drawn from the Jutes, the smallest of the three tribes who were to blend in the English people. But the greed of plunder now told on the great tribe which stretched

from the Elbe to the Rhine, and in 447 Saxon invaders were seen pushing slowly along the strip of land which lay westward of Kent between the weald and the sea. Nowhere has the physical aspect of the country more utterly changed. A vast sheet of scrub, woodland, and waste which then bore the name of the Andredsweald stretched for more than a hundred miles from the borders of Kent to the Hampshire Downs, extending northward almost to the Thames and leaving only a thin strip of coast which now bears the name of Sussex between its southern edge and the sea. This coast was guarded by a fortress which occupied the spot now called Pevensey, the future landing-place of the Norman Conqueror; and the fall of this fortress of Anderida in 491 established the kingdom of the South-Saxons. "Ælle and Cissa beset Anderida," so ran the pitiless record of the conquerors, "and slew all that were therein, nor was there afterwards one Briton left." But Hengest and Ælle's men had touched hardly more than the coast, and the true conquest of Southern Britain was reserved for a fresh band of Saxons, a tribe known as the Gewissas, who landed under Cerdic and Cynric on the shores of the Southampton Water, and pushed in 495 to the great downs or Gwent where Winchester offered so rich a prize. Nowhere was the strife fiercer than here; and it was not till 519 that a decisive victory at Charford ended the struggle for the "Gwent" and set the crown of the West-Saxons on the head of Cerdic. But the forest-belt around it checked any further advance; and only a year after Charford the Britons rallied under a new

leader, Arthur, and threw back the invaders as they pressed westward through the Dorsetshire woodlands in a great overthrow at Badbury or Mount Badon. The defeat was followed by a long pause in the Saxon advance from the southern coast, but while the Gewissas rested a series of victories whose history is lost was giving to men of the same Saxon tribe the coast district north of the mouth of the Thames. It is probable, however, that the strength of Camulodunum, the predecessor of our modern Colchester, made the progress of these assailants a slow and doubtful one; and even when its reduction enabled the East-Saxons to occupy the terriory to which they have given their name of Essex a line of woodland which has left its traces in Epping and Hainault Forests, checked their further advance into the island.

29. Though seventy years had passed since the victory of Aylesford only the outskirts of Britain were won. The invaders were masters as yet but of Kent, Sussex, Hampshire, and Essex. From London to St. David's Head, from the Andredsweald to the Firth of Forth, the country still remained unconquered: and there was little in the years which followed Arthur's triumph to herald that onset of the invaders which was soon to make Britain England. Till now its assailants had been drawn from two only of the three tribes whom we saw dwelling by the northern sea, from the Saxons and the Jutes. But the main work of conquest was to be done by the third, by the tribe which bore that name of Engle or Englishmen which was to absorb that of Saxon or

Jute and to stamp itself on the people which sprang from the union of the conquerors as on the land that they won. The Engle had probably been settling for years along the coast of Northumbria and in the great district which was cut off from the rest of Britain by the Wash and the Fens, the later East-Anglia. But it was not till the moment we have reached that the line of defenses which had hitherto held the invaders at bay was turned by their appearance in the Humber and the Trent. This great river-line led like a highway into the heart of Britain; and civil strife seems to have broken the strength of British resistance. But of the incidents of this final struggle we know nothing. One part of the English force marched from the Humber over the Yorkshire wolds to found what was called the kingdom of the Deirans. Under the empire political power had centered in the district between the Humber and the Roman wall; York was the capital of Roman Britain; villas of rich landowners studded the valley of the Ouse; and the bulk of the garrison maintained in the island lay camped along its northern border. But no record tells us how Yorkshire was won, or how the Engle made themselves masters of the uplands about Lincoln. It is only by their later settlements that we follow their march into the heart of Britain. Seizing the valley of the Don and whatever breaks there were in the woodland that then filled the space between the Humber and the Trent, the Engle followed the curve of the latter river. and struck along the line of its tributary, the Soar. Here round the Roman Ratæ, the predecessor

of our Leicester, settled a tribe known as the Middle-English, while a small body pushed further southwards, and under the name of "South-Engle" occupied the oolitic upland that forms our present Northamptonshire. But the mass of the invaders seem to have held to the line of the Trent and to have pushed westward to its head-waters. Repton, Lichfield, and Tamworth mark the country of these western Englishmen, whose older name was soon lost in that of Mercians, or Men of the March. Their settlement was in fact a new march or borderland between conqueror and conquered; for here the impenetrable fastness of the Peak, the mass of Cannock Chase, and the broken country of Staffordshire enabled the Briton to make a fresh and desperate stand.

30. It was probably this conquest of Mid-Britain by the Engle that roused the West-Saxons to a new advance. For thirty years they had rested inactive within the limits of the Gwent, but in 552 their capture of the hill-fort of Old Sarum threw open the reaches of the Wiltshire downs and a march of King Cuthwulf on the Thames made them masters in 571 of the districts which now form Oxfordshire and Berkshire. Pushing along the upper valley of Avon to a new battle at Barbury Hill they swooped at last from their uplands on the rich prey that lay along the Severn. Gloucester, Cirencester, and Bath, cities which had leagued under their British kings to resist this onset, became in 577 the spoil of an English victory at Deorham, and the line of the great western river lay open to the arms of the conquerors

Once the West-Saxons penetrated to the borders of Chester, and Uriconium, a town beside the Wrekin which has been recently brought again to light, went up in flames. The raid ended in a crushing defeat which broke the West-Saxon strength, but a British poet, in verses still left to us, sings piteously the death-song of Uriconium, "the white town in the valley," the town of white stone gleaming among the green woodlands. The torch of the foe had left it a heap of blackened ruins, where the singer wandered through halls he had known in happier days, the halls of its chief Kyndylan, "without fire, without light, without song," their stillness broken only by the eagle's scream, the eagle who "has swallowed fresh drink, heart's blood of Kyndylan the fair."

CHAPTER II.

THE ENGLISH KINGDOMS.

577–796.

31. With the victory of Deorum the conquest of the bulk of Britain was complete. Eastward of a line which may be roughly drawn along the moorlands of Northumberland and Yorkshire through Derbyshire and the Forest of Arden to the Lower Severn, and thence by Mendip to the sea, the island had passed into English hands. Britain had in the main become England. And within this new England a Teutonic society was settled on the wreck of Rome. So far as the conquest had yet gone it had

been complete. Not a Briton remained as subject or slave on English ground. Sullenly, inch by inch, the beaten men drew back from the land which their conquerors had won; and eastward of the border line which the English sword had drawn all was now purely English.

32. It is this which distinguishes the conquest of Britain from that of the other provinces of Rome. The conquest of Gaul by the Franks, or that of Italy by the Lombards, proved little more than a forcible settlement of the one or the other among tributary subjects who were destined in a long course of ages to absorb their conquerors. French is the tongue, not of the Frank, but of the Gaul whom he overcame; and the fair hair of the Lombard is all but unknown in Lombardy. But the English conquest of Britain up to the point which we have reached was a sheer dispossession of the people whom the English conquered. It was not that Englishmen, fierce and cruel as at times they seem to have been, were more fierce or more cruel than other Germans who attacked the empire; nor have we any ground for saying that they, unlike the Burgundian or the Frank, were utterly strange to the Roman civilization. Saxon mercenaries are found as well as Frank mercenaries in the pay of Rome; and the presence of Saxon vessels in the channel for a century before the descent on Britain must have familiarized its invaders with what civilization was to be found in the imperial provinces of the west. What really made the difference between the fate of Britain and that of the rest of the Roman world was the stub-

born courage of the British themselves. In all the world-wide struggles between Rome and the German peoples no land was so stubbornly fought for or so hardly won. In Gaul no native resistance met Frank or Visigoth save from the brave peasants of Britanny and Auvergne. No popular revolt broke out against the rule of Odoacer or Theodoric in Italy. But in Britain the invader was met by a courage almost equal to his own. Instead of quartering themselves quietly, like their fellows abroad, on subjects who were glad to buy peace by obedience and tribute, the English had to make every inch of Britain their own by hard fighting.

33. This stubborn resistance was backed, too, by natural obstacles of the gravest kind. Everywhere in the Roman world the work of the conquerors was aided by the civilization of Rome. Vandal or Frank marched along Roman highways over ground cleared by the Roman axe and crossed river or ravine on the Roman bridge. It was so, doubtless, with the English conquerors of Britain. But though Britain had long been Roman, her distance from the seat of empire left her less Romanized than any other province of the west. Socially, the Roman civilization had made little impression on any but the townsfolk, and the material civilization of the island was yet more backward than its social. Its natural defenses threw obstacles in its invaders' way. In the forest belts which stretched over vast spaces of country they found barriers which in all cases checked their advance, and in some cases finally stopped it. The Kentishmen and the South Saxons were brought

utterly to a standstill by the Andredsweald. The East Saxons could never pierce the woods of their western border. The Fens proved impassable to the Northfolk and the Southfolk of East-Anglia. It was only after a long and terrible struggle that the West-Saxons could hew their way through the forests which sheltered the "Gwent" of the southern coast. Their attempt to break out of the circle of woodland which girt in the downs was in fact fruitless for thirty years; and in the height of their later power they were thrown back from the forests of Cheshire.

34. It is only by realizing in this way the physical as well as the moral circumstances of Britain that we can understand the character of its earlier conquest. Field by field, town by town, forest by forest, the land was won. And as each bit of ground was torn away by the stranger, the Briton sullenly withdrew from it only to turn doggedly and fight for the next. There is no need to believe that the clearing of the land meant so impossible a thing as the general slaughter of the men who held it. Slaughter there was, no doubt, on the battle-field or in towns like Anderida, whose resistance woke wrath in their besiegers. But for the most part the Britons were not slaughtered; they were defeated and drew back. Such a withdrawal was only made possible by the slowness of the conquest. For it is not only the stoutness of its defense which distinguishes the conquest of Britain from that of the other provinces of the Empire, but the weakness of attack. As the resistance of the Britons was greater than that of the other provincials of Rome, so the forces of their as-

sailants were less. Attack by sea was less easy than attack by land, and the numbers who were brought across by the boats of Hengest or Cerdic cannot have rivaled those which followed Theodoric or Chlodewig across the Alps or the Rhine. Landing in small parties, and but gradually reinforced by after-comers, the English invaders could only slowly and fitfully push the Britons back. The absence of any joint action among the assailants told in the same way. Though all spoke the same language and used the same laws, they had no such bond of political union as the Franks; and though all were bent on winning the same land, each band and each leader preferred their own separate course of action to any collective enterprise.

35. Under such conditions the overrunning of Britain could not fail to be a very different matter from the rapid and easy overrunning of such countries as Gaul. How slow the work of English conquest was may be seen from the fact that it took nearly thirty years to win Kent alone and sixty to complete the conquest of Southern Britain, and that the conquest of the bulk of the island was only wrought out after two centuries of bitter warfare. But it was just through the length of the struggle that of all the German conquests this proved the most thorough and complete. So far as the English sword in these earlier days had reached, Britain had become England, a land, that is, not of Britons but of Englishmen. Even if a few of the vanquished people lingered as slaves round the homesteads of their English conquerors, or a few of their house-

hold words mingled with the English tongue, doubtful exceptions such as these leave the main facts untouched. The key-note of the conquest was firmly struck. When the English invasion was stayed for a while by the civil wars of the invaders, the Briton had disappeared from the greater part of the land which had been his own; and the tongue, the religion, the laws of his English conquerors reigned without a break from Essex to Staffordshire and the British Channel to the Firth of Forth.

36. For the driving out of the Briton was, as we have seen, but a prelude to the settlement of his conqueror. What strikes us at once in the new England is this, that it was the one purely German nation that rose upon the wreck of Rome. In other lands, in Spain or Gaul or Italy, though they were equally conquered by German peoples, religion, social life, administrative order, still remained Roman. Britain was almost the only province of the empire where Rome died into a vague tradition of the past. The whole organization of government and society disappeared with the people who used it. Roman roads, indeed, still led to desolate cities. Roman camps still crowned hill and down. The old divisions of the land remained to furnish bounds of field and farm for the new settlers. The Roman church, the Roman country house, was left standing, though reft of priest and lord. But Rome was gone. The mosaics, the coins which we dig up in our fields are no relics of our English fathers, but of a world our fathers' sword swept utterly away. Its law, its literature, its manners, its faith, went with it.

Nothing was a stronger proof of the completeness of this destruction of all Roman life than the religious change which passed over the land. Alone among the German assailants of Rome the English stood aloof from the faith of the empire they helped to overthrow. The new England was a heathen country. Homestead and boundary, the very days of the week, bore the names of new gods who displaced Christ.

37. As we stand amid the ruins of town or country house which recall to us the wealth and culture of Roman Britain, it is hard to believe that a conquest which left them heaps of crumbling stones was other than a curse to the land over which it passed. But if the new England which sprang from the wreck of Britain seemed for the moment a waste from which the arts, the letters, the refinement of the world had fled hopelessly away, it contained within itself germs of a nobler life than that which had been destroyed. The base of Roman society here as everywhere throughout the Roman world was the slave, the peasant who had been crushed by tyranny, political and social, into serfdom. The base of the new English society was the freeman whom we have seen tilling, judging, or fighting for himself by the Northern Sea. However roughly he dealt with the material civilization of Britain while the struggle went on, it was impossible that such a man could be a mere destroyer. War in fact was no sooner over than the warrior settled down into the farmer, and the home of the ceorl rose beside the heap of goblin-haunted stones that marked the site of the villa he

had burned. The settlement of the English in the conquered land was nothing less than an absolute transfer of English society in its completest form to the soil of Britain. The slowness of their advance, the small numbers of each separate band in its descent upon the coast, made it possible for the invaders to bring with them, or to call to them when their work was done, the wives and children, the læt and slave, even the cattle they had left behind them. The first wave of conquest was but the prelude to the gradual migration of a whole people. It was England which settled down on British soil, England with its own language, its own laws, its complete social fabric, its system of village life and village culture, its township and its hundred, its principle of kinship, its principle of representation. It was not as mere pirates or stray war-bands, but as peoples already made, and fitted by a common temper and common customs to draw together into our English nation in the days to come, that our fathers left their German home-land for the land in which we live. Their social and political organization remained radically unchanged. In each of the little kingdoms which rose on the wreck of Britain the host camped on the land it had won, and the divisions of the host supplied here as in its older home the rough groundwork of local distribution. The land occupied by the hundred warriors who formed the unit of military organization became perhaps the local hundred; but it is needless to attach any notion of precise uniformity, either in the number of settlers or in the area of their settlement, to such a pro-

cess as this, any more than in the army organization which the process of distribution reflected. From the large amount of public land which we find existing afterwards it has been conjectured with some probability that the number of settlers was far too small to occupy the whole of the country at their disposal, and this unoccupied ground became "folk-land," the common property of a tribe as at a later time of the nation. What ground was actually occupied may have been assigned to each group and each family in the group by lot, and eorl and ceorl gathered round them their læt and slave as in their home-land by the Rhine or the Elbe. And with the English people passed to the shores of Britain all that was to make Englishmen what they are. For distant and dim as their life in that older England may have seemed to us, the whole after-life of Englishmen was there. In its village-moots lay our parliament; in the gleeman of its village feasts our Chaucer and our Shakespeare; in the pirate-bark stealing from creek to creek our Drakes and our Nelsons. Even the national temper was fully formed. Civilization, letters, science, religion itself, have done little to change the inner mood of Englishmen. That love of venture and of toil, of the sea and the fight, that trust in manhood and the might of man, that silent awe of the mysteries of life and death which lay deep in English souls then as now, passed with Englishmen to the land which Englishmen had won.

38. But though English society passed thus in its completeness to the soil of Britain its primitive or-

ganization was affected in more ways than one by the transfer. In the first place conquest begat the king. It seems probable that the English had hitherto known nothing of kings in their own fatherland, where each tribe was satisfied in peace time with the customary government of village-reeve and hundred-reeve and ealdorman, while it gathered at fighting times under war leaders whom it chose for each campaign. But in the long and obstinate warfare which they waged against the Britons it was needful to find a common leader whom the various tribes engaged in conquests such as those of Wessex or Mercia might follow; and the ceaseless character of a struggle which left few intervals of rest or peace raised these leaders into a higher position than that of temporary chieftains. It was no doubt from this cause that we find Hengest and his son Æsc raised to the kingdom in Kent, or Ælle in Sussex, or Cerdic and Cynric among the West Saxons. The association of son with father in this new kingship marked the hereditary character which distinguished it from the temporary office of an ealdorman. The change was undoubtedly a great one, but it was less than the modern conception of kingship would lead us to imagine. Hereditary as the succession was within a single house, each successive king was still the free choice of his people, and for centuries to come it was held within a people's right to pass over a claimant too weak or too wicked for the throne. In war, indeed, the king was supreme. But in peace his power was narrowly bounded by the customs of his people and the rede of his wise men. Justice

was not as yet the king's justice, it was the justice of village and hundred and folk in town-moot and hundred-moot and folk-moot. It was only with the assent of the wise men that the king could make laws and declare war and assign public lands and name public officers. Above all, should his will be to break through the free customs of his people, he was without the means of putting his will into action, for the one force he could call on was the host, and the host was the people itself in arms.

39. With the new English king rose a new order of English nobles. The social distinction of the earl was founded on the peculiar purity of his blood, on his long descent from the original settler around whom township and thorpe grew up. A new distinction was now to be found in service done to the king. From the earliest times of German society it had been the wont of young men greedy of honor or seeking training in arms to bind themselves as "comrades" to king or chief. The leader whom they chose gave them horses, arms, a seat in his mead hall, and gifts from his hoard. The "comrade" on the other hand—the gesith or thegn, as he was called—bound himself to follow and fight for his lord. The principle of personal dependence as distinguished from the warrior's general duty to the folk at large was embodied in the thegn. "Chieftains fight for victory," says Tacitus; "comrades for their chieftain." When one of Beowulf's "comrades" saw his lord hard bestead "he minded him of the homestead he had given him, of the folk-right he gave him as his father had it; nor might he hold

back then." Snatching up sword and shield he called on his fellow-thegns to follow him to the fight. "I mind me of the day," he cried, "when we drank the mead, the day we gave pledge to our lord in the beer hall as he gave us these rings, our pledge that we would pay him back our war-gear, our helms, and our hard swords, if need befell him. Unmeet is it, methinks, that we should bear back our shields to our home unless we guard our lord's life." The larger the band of such "comrades," the more power and repute it gave to their lord. It was from among the chiefs whose war-band was strongest that the leaders of the host were commonly chosen; and as these leaders grew into kings, the number of their thegns naturally increased. The rank of the "comrades," too rose with the rise of their lord. The king's thegns were his body-guard, the one force ever ready to carry out his will. They were his nearest and most constant counselors. As the gathering of petty tribes into larger kingdoms swelled the number of eorls in each realm and in a corresponding degree diminished their social importance, it raised in equal measure the rank of the king's thegns. A post among them was soon coveted and won by the greatest and noblest in the land. Their service was rewarded by exemption from the general jurisdiction of hundred-court or shire-court, for it was part of a thegn's meed for his services that he should be judged only by the lord he served. Other meed was found in grants of public land which made them a local nobility, no longer bound to actual service in the king's house-

hold or the king's war-band, but still bound to him by personal ties of allegiance far closer than those which bound an eorl to the chosen war-leader of the tribe. In a word, thegn-hood contained within itself the germ of that later feudalism which was to battle so fiercely with the Teutonic freedom out of which it grew.

40. But the strife between the conquering tribes which at once followed on their conquest of Britain was to bring about changes even more momentous in the development of the English people. While Jute and Saxon and Engle were making themselves masters of central and southern Britain, the English who had landed on its northernmost shores had been slowly winning for themselves the coast district between the Forth and the Tyne which bore the name of Bernicia. Their progress seems to have been small till they were gathered into a kingdom in 547 by Ida the "Flame-bearer," who found a site for his king's town on the impregnable rock of Bam borough; nor was it till the reign of his fourth son, Æthelric, that they gained full mastery over the Britons along their western border. But once masters of the Britons, the Bernician Englishmen turned to conquer their English neighbors to the south, the men of Deira, whose first king, Ælla, was now sinking to the grave. The struggle filled the foreign markets with English slaves, and one of the most memorable stories in our history shows us a group of such captives as they stood in the market-place of Rome, it may be in the great Forum of Trajan, which still in its decay recalled the glories of the

Imperial City. Their white bodies, their fair faces, their golden hair was noted by a deacon who passed by. "From what country do these slaves come?" Gregory asked the trader who brought them. The slave-dealer answered, "They are English," or as the word ran in the Latin form it would bear at Rome, "they are Angles." The deacon's pity veiled itself in poetic humor. "Not Angles but angels," he said, "with faces so angel-like! From what country come they?" "They come," said the merchant, "from Deira." "*De irâ!*" was the untranslatable word-play of the vivacious Roman; "aye, plucked from God's ire and called to Christ's mercy! And what is the name of their king?" They told him, "Ælla," and Gregory seized on the word as of good omen. "Alleluia shall be sung in Ælla's land," he said, and passed on, musing how the angel-faces should be brought to sing it.

41. While Gregory was thus playing with Ælla's name the old king passed away, and with his death in 589 the resistance of his kingdom seems to have ceased. His house fled over the western border to find refuge among the Welsh, and Æthelric of Bernicia entered Deira in triumph. A new age of our history opens in this submission of one English people to another. When the two kingdoms were united under a common lord the period of national formation began. If a new England sprang out of the mass of English states which covered Britain after its conquest, we owe it to the gradual submission of the smaller peoples to the supremacy of a common political head. The difference in power between

state and state which inevitably led to this process of union was due to the character which the conquest of Britain was now assuming. Up to this time all the kingdoms which had been established by the invaders had stood in the main on the footing of equality. All had taken an independent share in the work of conquest. Though the oneness of a common blood and a common speech was recognized by all, we find no traces of any common action or common rule. Even in the two groups of kingdoms, the five English and the five Saxon kingdoms, which occupied Britain south of the Humber, the relations of each member of the group to its fellows seem to have been merely local. It was only locally that East and West and South and North English were grouped round the Middle English of Leicester, or East and West and South and North Saxons round the Middle Saxons about London. In neither instance do we find any real trace of a confederacy, or of the rule of one member of the group over the others; while north of the Humber the feeling between the Englishmen of Yorkshire and the Englishmen who had settled toward the Firth of Forth was one of hostility rather than of friendship. But this age of isolation, of equality, of independence, had now come to an end. The progress of the conquest had drawn a sharp line between the kingdoms of the conquerors. The work of half of them was done. In the south of the island not only Kent but Sussex, Essex, and Middlesex were surrounded by English territory, and hindered by that single fact from all further growth. The same fate had befallen

the East Engle, the South Engle, the Middle and the North Engle. The West Saxons on the other hand and the West Engles, or Mercians, still remained free to conquer and expand on the south of the Humber, as the Englishmen of Deira and Bernicia remained free to the north of that river. It was plain, therefore, that from this moment the growth of these powers would throw their fellow-kingdoms into the background, and that with an ever-growing inequality of strength must come a new arrangement of political forces. The greater kingdoms would in the end be drawn to subject and absorb the lesser ones, and to the war between Englishman and Briton would be added a struggle between Englishman and Englishman.

42. It was through this struggle and the establishment of a lordship on the part of the stronger and growing states over their weaker and stationary fellows that the English kingdoms were to make their first step towards union in a single England. Such an overlordship seemed destined but a few years before to fall to the lot of Wessex. The victories of Ceawlin and Cuthwulf left it the largest of the English kingdoms. None of its fellow states seemed able to hold their own against a power which stretched from the Chilterns to the Severn and from the Channel to the Ouse. But, after its defeat in the march upon Chester, Wessex suddenly broke down into a chaos of warring tribes; and her place was taken by two powers whose rise to greatness was as sudden as her fall. The first of these was Kent. The Kentish King Æthelberht

found himself hemmed in on every side by English territory; and since conquest over Britons was denied him, he sought a new sphere of action in setting his kingdom at the head of the conquerors of the south. The break up of Wessex no doubt aided his attempt; but we know little of the causes or events which brought about his success. We know only that the supremacy of the Kentish King was owned at last by the English peoples of the east and center of Britain. But it was not by her political action that Kent was in the end to further the creation of a single England; for the lordship which Æthelbehrt built up was doomed to fall forever with his death, and yet his death left Kent the center of a national union far wider as it was far more enduring than the petty lordship which stretched over Eastern Britain. Years had passed by since Gregory pitied the English slaves in the market-place of Rome. As bishop of the Imperial City he at last found himself in a position to carry out his dream of winning Britain to the faith, and an opening was given him by Æthelberht's marriage with Bercta, a daughter of the Frankish King Charibert of Paris. Bercta, like her Frankish kindred, was a Christian; a Christian bishop accompanied her from Gaul; and a ruined Christian church, the church of St. Martin beside the royal city of Canterbury, was given them for their worship. The king himself remained true to the gods of his fathers; but his marriage no doubt encouraged Gregory to send a Roman abbot, Augustine, at the head of a band of monks to preach the Gospel to the English people. The missionaries landed in 597

in the Isle of Thanet, at the spot where Hengest had landed more than a century before; and Æthelberht received them sitting in the open air on the chalk-down above Minster where the eye now-a-days catches miles away over the marshes the dim tower of Canterbury. The king listened patiently to the long sermon of Augustine as the interpreters the abbot had brought with him from Gaul rendered it in the English tongue. "Your words are fair," Æthelberht replied at last with English good sense, "but they are new and of doubtful meaning." For himself, he said, he refused to forsake the gods of his fathers, but with the usual religious tolerance of the German race he promised shelter and protection to the strangers. The band of monks entered Canterbury bearing before them a silver cross with a picture of Christ, and singing in concert the strains of the litany of their church. "Turn from this city, O Lord," they sang, "thine anger and wrath, and turn it from thy holy house, for we have sinned." And then in strange contrast came the jubilant cry of the older Hebrew worship, the cry which Gregory had wrested in prophetic earnestness from the name of the Yorkshire king in the Roman market-place, "Alleluia!"

43. It was thus that the spot which witnessed the landing of Hengest became yet better known as the landing-place of Augustine. But the second landing at Ebbsfleet was in no small measure a reversal and undoing of the first. "Strangers from Rome" was the title with which the missionaries first fronted the English king. The march of the monks as they

chanted their solemn litany was in one sense a return of the Roman legions who withdrew at the trumpet-call of Alaric. It was to the tongue and the thought not of Gregory only but of the men whom his Jutish fathers had slaughtered or driven out that Æthelberht listened in the preaching of Augustine. Canterbury, the earliest royal city of German England, became a center of Latin influence. The Roman tongue became again one of the tongues of Britain, the language of its worship, its correspondence, its literature. But more than the tongue of Rome returned with Augustine. Practically his landing renewed that union with the western world which the landing of Hengest had destroyed. The new England was admitted into the older commonwealth of nations. The civilization, art, letters, which had fled before the sword of the English conquerors returned with the Christian faith. The great fabric of the Roman law, indeed, never took root in England, but it is impossible not to recognize the result of the influence of the Roman missionaries in the fact that codes of the customary English law began to be put in writing soon after their arrival.

44. A year passed before Æthelberht yielded to the preaching of Augustine. But from the moment of his conversion the new faith advanced rapidly and the Kentish men crowded to baptism in the train of their king. The new religion was carried beyond the bounds of Kent by the supremacy which Æthelberht wielded over the neighboring kingdoms. Sæberht, king of the East-Saxons, received a bishop sent from Kent, and suffered him to build up again a

Christian church in what was now his subject city of London, while the East-Anglian King Rædwald resolved to serve Christ and the older gods together. But while Æthelberht was thus furnishing a future center of spiritual unity in Canterbury, the see to which Augustine was consecrated, the growth of Northumbria was pointing it out as the coming political center of the new England. In 593, four years before the landing of the missionaries in Kent, Æthelric was succeeded by his son Æthelfrith, and the new king took up the work of conquest with a vigor greater than had yet been shown by any English leader. For ten years he waged war with the Britons of Strathclyde. a tract which stretched along his western border from Dumbarton to Carlisle. The contest ended in a great battle at Dægsa's Stan, perhaps Dawston in Liddesdale; and Æthelfrith turned to deliver a yet more crushing blow on his southern border. British kingdoms still stretched from Clydemouth to the mouth of Severn; and had their line remained unbroken the British resistance might yet have withstood the English advance. It was with a sound political instinct, therefore, that Æthelfrith marched in 607 upon Chester, the point where the kingdom of Cumbria, a kingdom which stretched from the Lune to the Dee, linked itself to the British states of what we now call Wales. Hard by the city 2,000 monks were gathered in one of those vast religious settlements which were characteristic of Celtic Christianity, and after a three days' fast a crowd of these ascetics followed the British army to the field. Æthelfrith watched the wild gestures of

the monks as they stood apart from the host with arms outstretched in prayer, and bade his men slay them in the coming fight. "Bear they arms or no," said the king, "they war against us when they cry against us to their God," and in the surprise and rout which followed the monks were the first to fall.

45. With the battle of Chester Britain, as a single political body, ceased to exist. By their victory at Deorham the West Saxons had cut off the Britons of Dorset, Somerset, Devon, and Cornwall from the general body of their race. By Æthelfrith's victory at Chester and the reduction of southern Lancashire which followed it, what remained of Britain was broken into two several parts. From this time, therefore, the character of the English conquest of Britain changes. The warfare of Briton and Englishman died down into a warfare of separate English kingdoms against separate British kingdoms, of Northumbria against Cumbria and Strathclyde, of Mercia against modern Wales, of Wessex against the tract of British country from Mendip to the Land's End. But great as was the importance of the battle of Chester to the fortunes of Britain, it was of still greater importance to the fortunes of England itself. The drift towards national unity had already begun, but from the moment of Æthelfrith's victory this drift became the main current of our history. Masters of the larger and richer part of the land, its conquerors were no longer drawn greedily westward by the hope of plunder; while the severance of the British kingdoms took from their enemies the pres-

sure of a common danger. The conquests of Æthelfrith left him without a rival in military power, and he turned from victories over the Welsh, as their English foes called the Britons, to the building up of a lordship over his own countrymen.

46. The power of Æthelberht seems to have declined with old age, and though the Essex men still owned his supremacy, the English tribes of Mid-Britain shook it off. So strong, however, had the instinct of union now become, that we hear nothing of any return to their old isolation. Mercians and South-umbrians, Middle-English and South-English, now owned the lordship of the East-English King Rædwald. The shelter given by Rædwald to Ælla's son Eadwine served as a pretext for a Northumbrian attack. Fortune, however, deserted Æthelfrith, and a snatch of northern song still tells of the day when the river Idle by Retford saw his defeat and fall. But the greatness of Northumbria survived its King. In 617 Eadwine was welcomed back by his own men of Deira; and his conquest of Bernicia maintained that union of the two realms which the Bernician conquest of Deira had first brought about. The greatness of Northumbria now reached its height. Within his own dominions, Eadwine displayed a genius for civil government which shows how utterly the mere age of conquest had passed away. With him began the English proverb so often applied to after kings: "A woman with her babe might walk scatheless from sea to sea in Eadwine's day." Peaceful communication revived along the deserted highways; the springs by the roadside were marked with stakes, and a cup

of brass set beside each for the traveler's refreshment. Some faint traditions of the Roman past may have flung their glory round this new "Empire of the English;" a royal standard of purple and gold floated before Eadwine as he road through the villages; a feather tuft attached to a spear, the Roman tufa, preceded him as he walked through the streets. The Northumbrian king became, in fact, supreme over Britain as no king of English blood had been before. Northward his frontier reached to the Firth of Forth, and here, if we trust tradition, Eadwine founded a city which bore his name, Edinburgh, Eadwine's burgh. To the west his arms crushed the long resistance of Elmet, the district about Leeds; he was master of Chester, and the fleet he equipped there subdued the isles of Anglesea and Man. South of the Humber he was owned as overlord by the five English states of Mid-Britain. The West-Saxons remained awhile independent. But revolt and slaughter had fatally broken their power when Eadwine attacked them. A story preserved by Bæda tells something of the fierceness of the struggle which ended in the subjection of the south to the overlordship of Northumbria. In an Easter-court which he held in his royal city by the river Derwent, Eadwine gave audience to Eumer, an envoy of Wessex, who brought a message from its king. In the midst of the conference Eumer started to his feet, drew a dagger from his robe, and rushed on the Northumbrian sovereign. Lilla, one of the king's war band, threw himself between Eadwine and his assassin; but so furious was the stroke that even through

Lilla's body the dagger still reached its aim. The King, however, recovered from his wound to march on the West-Saxons; he slew or subdued all who had conspired against him, and returned victorious to his own country.

47. Kent had bound itself to him by giving him its king's daughter as a wife, a step which probably marked political subordination; and with the Kentish queen had come Paulinus, one of Augustine's followers, whose tall stooping form ,slender aquiline nose, and black hair falling round a thin worn face, were long remembered in the north. Moved by his queen's prayers Eadwine promised to become Christian if he returned successful from Wessex; and the wise men of Northumbria gathered to deliberate on the new faith to which he bowed. To finer minds its charm lay then as now in the light it threw on the darkness which encompassed men's lives, the darkness of the future as of the past. "So seems the life of man, O king," burst forth an aged ealdorman, "as a sparrow's flight through the hall when a man is sitting at meat in winter-tide with the warm fire lighted on the hearth, but the chill rain-storm without. The sparrow flies in at one door and tarries for a moment in the light and heat of the hearth-fire, and then flying forth from the other vanishes into the wintry darkness whence it came. So tarries for a moment the life of man in our sight, but what is before it, what after it, we know not. If this new teaching tell us aught certainly of these, let us follow it." Coarser argument told on the crowd. "None of your people, Eadwine, have worshiped

the gods more busily than I," said Coifi, the priest, "yet there are many more favored and more fortunate. Were these gods good for anything they would help their worshipers." Then leaping on horseback, he hurled his spear into the sacred temple at Godmanham, and with the rest of the Witan embraced the religion of the king.

48. But the faith of Woden and Thunder was not to fall without a struggle. Even in Kent a reaction against a new creed began with the death of Æthelberht. The young kings of the East-Saxons burst into the church where the bishop of London was administering the eucharist to the people, crying, "Give us that white bread you gave to our father Saba," and on the bishop's refusal drove him from their realm. This earlier tide of reaction was checked by Eadwine's conversion; but Mercia, which had as yet owned the supremacy of Northumbria, sprang into a sudden greatness as the champion of the heathen gods. Its king, Penda, saw in the rally of the old religion a chance of winning back his people's freedom and giving it the lead among the tribes about it. Originally mere settlers along the Upper Trent, the position of the Mercians on the Welsh border invited them to widen their possessions by conquest while the rest of their Anglian neighbors were shut off from any chance of expansion. Their fights along the frontier, too, kept their warlike energy at its height. Penda must have already asserted his superiority over the four other English tribes of Mid-Britain before he could have ventured to attacked Wessex and tear from it in 628 the country of the

Hwiccas and Magesætas on the Severn. Even with this accession of strength, however, he was still no match for Northumbria. But the war of the English people with the Britains seems at this moment to have died down for a season, and the Mercian ruler boldly broke through the barrier which had parted the two races till now by allying himself with a Welsh king, Cadwallon, for a joint attack on Eadwine. The armies met in 633 at a place called Hæthfeld, and in the fight which followed Eadwine was defeated and slain.

49. Bernicia seized on the fall of Eadwine to recall the line of Æthelfrith to its throne; and after a year of anarchy his second son, Oswald, became its king. The Welsh had remained encamped in the heart of the north, and Oswald's first fight was with Cadwallon. A small Northumbrian force gathered in 1635 near the Roman Wall, and pledged itself at the new king's bidding to become Christian if it conquered in the fight. Cadwallon fell fighting on the "Heaven's Field," as after-times called the field of battle; the submission of Deira to the conqueror restored the kingdom of Northumbria; and for nine years the power of Oswald equaled that of Eadwine. It was not the Church of Paulinus which nerved Oswald to this struggle for the Cross, or which carried out in Bernicia the work of conversion which his victory began. Paulinus fled from Northumbria at Eadwine's fall; and the Roman Church, though established at Kent, did little in contending elsewhere against the heathen reaction. Its place in the conversion of northern England was taken by mission-

the peasants of Yorkshire and Northumbria. In his own court the king acted as interpreter to the Irish missionaries in their efforts to convert his thegns. A new conception of kingship indeed began to blend itself with that of the warlike glory of Æthelfrith or the wise administration of Eadwine, and the moral power which was to reach its height in Ælfred first dawns in the story of Oswald. For after-times the memory of Oswald's greatness was lost in the memory of his piety. "By reason of his constant habit of praying or giving thanks to the Lord, he was wont wherever he sat to hold his hands upturned on his knees." As he feasted with Bishop Aidan by his side, the thegn or noble of his war-band, whom he had sent to give alms to the poor at his gate, told him of a multitude that still waited fasting without. The king at once bade the untasted meat before him to be carried to the poor, and his silver dish be parted piecemeal among them. Aidan seized the royal hand and blessed it. "May this hand," he cried, "never grow old."

51. Oswald's lordship stretched as widely over Britain as that of his predecessor Eadwine. In him even more than in Eadwine men saw some faint likeness of the older emperors; once, indeed, a writer from the land of the Picts calls Oswald "Emperor of the whole of Britain." His power was bent to carry forward the conversion of all England, but prisoned as it was to the central districts of the country, heathendom fought desperately for life. Penda was still its rallying-point. His long reign was one continuous battle with the new religion; but it was

a battle rather with the supremacy of Christian Northumbria than with the supremacy of the Cross. East Anglia became at last the field of contest between the two powers; and in 642 Oswald marched to deliver it from the Mercian rule. But his doom was the doom of Eadwine, and in a battle called the battle of the Maserfeld he was overthrown and slain. For a few years after his victory at Maserfeld, Penda stood supreme in Britain. Heathenism triumphed with him. If Wessex did own his over-lordship as it had owned that of Oswald, its king threw off the Christian faith which he had embraced but a few years back at the preaching of Birinus. Even Deira seems to have owned Penda's sway. Bernicia alone, though distracted by civil war between rival claimants for its throne, refused to yield. Year by year the Mercian king carried his ravages over the north; once he reached even the royal city, the impregnable rock-fortress of Bamborough. Despairing of success in an assault, he pulled down the cottages around, and piling their wood against its walls fired the mass in a fair wind that drove the flames on the town. "See, Lord, what ill Penda is doing," cried Aidan from his hermit cell in the islet of Farne, as he saw the smoke drifting over the city, and a change in the wind—so ran the legend of Northumbria's agony—drove back the flames on those who kindled them. But burned and harried as it was, Bernicia still fought for the Cross. Oswiu, a third son of Æthelfrith, held his ground stoutly against Penda's inroads till their cessation enabled him to build up again the old Northumbrian kingdom by a march upon Deira.

The union of the two realms was never henceforth to be dissolved; and its influence was at once seen in the renewal of Christianity throughout Britain. East Anglia, conquered as it was, had clung to its faith. Wessex quietly became Christian again. Penda's own son, whom he had set over the Middle English, received baptism and teachers from Lindisfarne. At last the missionaries of the new belief appeared fearlessly among the Mercians themselves. Penda gave them no hindrance. In words that mark the temper of a man of whom we would willingly know more, Bæda tells us that the old king only "hated and scorned those whom he saw not doing the works of the faith they had received." His attitude shows that Penda looked with the tolerance of his race on all questions of creed, and that he was fighting less for heathenism than for political independence. And now the growing power of Oswiu called him to the old struggle with Northumbria. In 655 he met Oswiu in the field of Winwæd, by Leeds. It was in vain that the Northumbrian sought to avert Penda's attack by offers of ornaments and costly gifts. "If the pagans will not accept them," Oswiu cried at last, "let us offer them to one that will;" and he vowed that if successful he would dedicate his daughter to God, and endow twelve monasteries in his realm. Victory at last declared for the faith of Christ. Penda himself fell on the field. The river over which the Mercians fled was swollen with a great rain; it swept away the fragments of the heathen host, and the cause of the older gods was lost forever.

52. The terrible struggle between heathendom and Christianity was followed by a long and profound peace. For three years after the battle of Winwæd Mercia was governed by Northumbrian thegns in Oswiu's name. The winning of central England was a victory for Irish Christianity as well as for Oswiu. Even in Mercia itself heathendom was dead with Penda. "Being thus freed," Bæda tells us, "the Mercians with their king rejoiced to serve the true king, Christ." Its three provinces, the earlier Mercia, the Middle-English, and the Lindiswaras, were united in the bishopric of the missionary Ceadda, the St. Chad to whom Lichfield is still dedicated. Ceadda was a monk of Lindisfarne, so simple and lowly in temper that he traveled on foot on his long mission journeys till Archbishop Theodore with his own hands lifted him on horseback. The old Celtic poetry breaks out in his death-legend, as it tells us how voices of singers singing sweetly descended from heaven to the little cell beside St. Mary's church, where the bishop lay dying. Then "the same song ascended from the roof again, and returned heavenward by the way that it came." It was the soul of his brother, the missionary Cedd, come with a choir of angels to solace the last hours of Ceadda.

53. In Northumbria the work of his fellow-missionaries has almost been lost in the glory of Cuthbert. No story better lights up for us the new religious life of the time than the story of this apostle of the Lowlands. Born on the southern edge of the Lammermoor, Cuthbert found shelter

at eight years old in a widow's house in the little village of Wrangholm. Already in youth his robust frame had a poetic sensibility which caught even in the chance word of a game a call to higher things, and a passing attack of lameness deepened the religious impression. A traveler coming in his white mantle over the hillside and stopping his horse to tend Cuthbert's injured knee seemed to him an angel. The boy's shepherd life carried him to the bleak upland, still famous as a sheepwalk, though a scant herbage scarce veils the whinstone rock. There meteors plunging into the night became to him a company of angelic spirits carrying the soul of Bishop Aidan heavenward, and his longings slowly settled into a resolute will toward a religious life. In 651 he made his way to a group of straw-thatched log-huts in the midst of untilled solitudes, where a few Irish monks from Lindisfarne had settled in the mission-station of Melrose. To-day the land is a land of poetry and romance. Cheviot and Lammermoor, Ettrick and Teviotdale, Yarrow and Annan-water, are musical with old ballads and border minstrelsy. Agriculture has chosen its valleys for her favorite seat, and drainage and steam-power have turned sedgy marshes into farm and meadow. But to see the Lowlands as they were in Cuthbert's day, we must sweep meadow and farm away again, and replace them by vast solitudes, dotted here and there with clusters of wooden hovels and crossed by boggy tracks, over which travelers rode spear in hand and eye kept cautiously about them. The Northumbrian peasantry among whom he journeyed were

for the most part Christians only in name. With Teutonic indifference they yielded to their thegns in nominally accepting the new Christianity as these had yielded to the king. But they retained their old superstitions side by side with the new worship; plague or mishap drove them back to a reliance on their heathen charms and amulets; and if trouble befell the Christian preachers who came settling among them, they took it as proof of the wrath of the older gods. When some log-rafts which were floating down the Tyne for the construction of an abbey at its mouth drifted with the monks who were at work on them out to sea, the rustic bystanders shouted: "Let nobody pray for them; let nobody pity these men; for they have taken away from us our old worship, and how their new-fangled customs are to be kept nobody knows." On foot, on horseback, Cuthbert wandered among listeners such as these, choosing above all the remoter mountain villages from whose roughness and poverty other teachers turned aside. Unlike his Irish comrades, he needed no interpreter as he passed from village to village; the frugal, long-headed Northumbrians listened willingly to one who was himself a peasant of the Lowlands, and who had caught the rough Northumbrian burr along the banks of the Leader. His patience, his humorous good sense, the sweetness of his look, told for him, and not less the stout, vigorous frame which fitted the peasant-preacher for the hard life he had chosen. "Never did man die of hunger who served God faithfully," he would say, when nightfall found them supperless in the

waste. "Look at the eagle overhead! God can feed us through him if he will"—and once at least he owed his meal to a fish that the scared bird let fall. A snowstorm drove his boat on the coast of Fife. "The snow closes the road along the shore," mourned his comrades; "the storm bars our way over sea." "There is still the way of heaven that lies open," said Cuthbert.

54. While missionaries were thus laboring among its peasantry, Northumbria saw the rise of a number of monasteries, not bound indeed by the strict ties of the Benedictine rule, but gathered on the loose Celtic model of the family or the clan round some noble and wealthy person who sought devotional retirement. The most notable and wealthy of these houses was that of Streoneshalh, where Hild, a woman of royal race, reared her abbey on the cliffs of Whitby, looking out over the Northern Sea. Hild was a Northumbrian Deborah whose counsel was sought even by kings; and the double monastery over which she ruled became a seminary of bishops and priests. The sainted John of Beverley was among her scholars. But the name which really throws glory over Whitby is the name of a cowherd from whose lips during the reign of Oswiu flowed the first great English song. Though well advanced in years, Cædmon had learned nothing of the art of verse, the alliterative jingle so common among his fellows, "wherefore being sometimes at feasts, when all agreed for glee's sake to sing in turn, he no sooner saw the harp come toward him than he rose from the board and went homeward." Once

when he had done thus, and gone from the feast to the stable where he had that night charge of the cattle, there appeared to him in his sleep One who said, greeting him by name, "Sing, Cædmon, some song to Me." "I cannot sing," he answered; "for this cause left I the feast and came hither." He who talked with him answered: "However that be, you shall sing to Me." "What shall I sing?" rejoined Cædmon. "The beginning of created things," replied He. In the morning the cowherd stood before Hild and told his dream. Abbess and brethren alike concluded "that heavenly grace had been conferred on him by the Lord." They translated for Cædmon a passage in Holy Writ, "bidding him, if he could, put the same into verse." The next morning he gave it them composed in excellent verse, "whereon the abbess, understanding the divine grace in the man, bade him quit the secular habit and take on him the monastic life." Piece by piece the sacred story was thus thrown into Cædmon's poem. "He sang of the creation of the world, of the origin of man, and of all the history of Israel; of their departure from Egypt and entering into the Promised Land; of the incarnation, passion, and resurrection of Christ, and of his ascension; of the terror of future judgment, the horror of hell-pangs, and the joys of heaven."

55. But even while Cædmon was singing, the glories of Northumbria and of the Irish Church were passing away. The revival of Mercia was as rapid as its fall. Only a few years after Panda's defeat the Mercians threw off Oswiu's yoke and set Wulfhere, a son of Penda, on their throne. They

were aided in their revolt, no doubt, by a religious strife which was now rending the Northumbrian realm. The labor of Aidan, the victories of Oswald and Oswiu, seemed to have annexed the north to the Irish Church. The monks of Lindisfarne, or of the new religious houses whose foundation followed that of Lindisfarne, looked for their ecclesiastical tradition, not to Rome but to Ireland; and quoted for their guidance the instructions, not of Gregory, but of Columba. Whatever claims of supremacy over the whole English Church might be pressed by the See of Canterbury, the real metropolitan of the Church as it existed in the North of England was the Abbot of Iona. But Oswiu's queen brought with her from Kent the loyalty of the Kentish Church to the Roman See; and the visit of two young thegns to the Imperial City raised their love of Rome into a passionate fanaticism. The elder of these, Benedict Biscop, returned to denounce the usages in which the Irish Church differed from the Roman as schismatic; and the vigor of his comrade, Wilfrid, stirred so hot a strife that Oswiu was prevailed upon to summon in 664 a great council at Whitby, where the future ecclesiastical allegiance of his realm should be decided. The points actually contested were trivial enough. Colman, Aidan's successor at Holy Island, pleaded for the Irish fashion of the tonsure, and for the Irish time of keeping Easter; Wilfrid pleaded for the Roman. The one disputant appealed to the authority of Columba, the other to that of St. Peter. "You own," cried the King at last to Colman, "that Christ gave

to Peter the keys of the kingdom of heaven—has he given such power to Columba?" The bishop could but answer "No." "Then will I rather obey the porter of heaven," said Oswiu, "lest when I reach its gates he who has the keys in his keeping turn his back on me, and there be none to open." The humorous tone of Oswiu's decision could not hide its importance, and the synod had no sooner broken up than Colman, followed by the whole of the Irish-born brethren and thirty of their English fellows, forsook the See of St. Aidan and sailed away to Iona. Trivial in fact as were the actual points of difference which severed the Roman Church from the Irish, the question to which communion Northumbria should belong was of immense moment to the after-fortunes of England. Had the Church of Aidan finally won, the later ecclesiastical history of England would probably have resembled that of Ireland. Devoid of that power of organization which was the strength of the Roman Church, the Celtic Church in its own Irish home took the clan system of the country as the basis of its government. Tribal quarrels and ecclesiastical controversies became inextricably confounded; and the clergy, robbed of all really spiritual influence, contributed no element save that of disorder to the state. Hundreds of wandering bishops, a vast religious authority wielded by hereditary chieftains, the dissociation of piety from morality, the absence of those larger and more humanizing influences which contact with a wider world alone can give—this is a picture which the

Irish Church of later times presents to us. It was from such a chaos as this that England was saved by the victory of Rome in the Synod of Whitby. But the success of Wilfrid dispelled a yet greater danger. Had England clung to the Irish Church it must have remained spiritually isolated from the bulk of the western world. Fallen as Rome might be from its older greatness, it preserved the traditions of civilization, of letters and art and law. Its faith still served as a bond which held together the nations that sprang from the wreck of the empire. To fight against Rome was, as Wilfrid said, "to fight against the world." To repulse Rome was to condemn England to isolation. Dimly as such thoughts may have presented themselves to Oswiu's mind, it was the instinct of a statesman that led him to set aside the love and gratitude of his youth and to link England to Rome in the Synod of Whitby.

56. Oswiu's assent to the vigorous measures of organization undertaken by a Greek monk, Theodore of Tarsus, whom Rome dispatched in 668 to secure England to her sway as Archbishop of Canterbury, marked a yet more decisive step in the new policy. The work of Theodore lay mainly in the organization of the episcopate, and thus the Church of England, as we know it to-day, is the work, so far as its outer form is concerned, of Theodore. His work was determined in its main outlines by the previous history of the English people. The conquest of the Continent had been wrought either by races which were already Christian, or by heathens who bowed to the Christian faith of the nation they conquered. To

this oneness of religion between the German invaders of the empire and their Roman subjects was owing the preservation of all that survived of the Roman world. The Church everywhere remained untouched. The Christian bishop became the defender of the conquered Italian or Gaul against his Gothic and Lombard conqueror, the mediator between the German and his subjects, the one bulwark against barbaric violence and oppression. To the barbarian, on the other hand, he was the representative of all that was venerable in the past, the living record of law, of letters, and of art. But in Britain the priesthood and the people had been driven out together. When Theodore came to organize the Church of England, the very memory of the older Christian Church which existed in Roman Britain had passed away. The first missionaries to the Englishmen, strangers in a heathen land, attached themselves necessarily to the courts of the kings, who were their earliest converts, and whose conversion was generally followed by that of their people. The English bishops were thus at first royal chaplains, and their diocese was naturally nothing but the kingdom. In this way realms which are all but forgotten are commemorated in the limits of existing sees. That of Rochester represented till of late an obscure kingdom of West Kent, and the frontier of the original kingdom of Mercia may be recovered by following the map of the ancient bishopric of Lichfield. In adding many sees to those he found Theodore was careful to make their dioceses co-extensive with existing tribal demarkations. But he soon passed from this extension

of the episcopate to its organization. In his arrangement of dioceses, and the way in which he grouped them round the see of Canterbury, in his national synods and ecclesiastical canons, Theodore did unconsciously a political work. The old divisions of kingdoms and tribes about him, divisions which had sprung for the most part from mere accidents of the conquest, were now fast breaking down. The smaller states were by this time practically absorbed by the three larger ones, and of these three Mercia and Wessex were compelled to bow to the superiority of Northumbria. The tendency to national unity which was to characterize the new England had thus already declared itself; but the policy of Theodore clothed with a sacred form and surrounded with divine sanctions a unity which as yet rested on no basis but the sword. The single throne of the one Primate at Canterbury accustomed men's minds to the thought of a single throne for their one temporal overlord. The regular subordination of priest to bishop, of bishop to primate, in the administration of the Church, supplied a mold on which the civil organization of the state quietly shaped itself. Above all, the councils gathered by Theodore were the first of our national gatherings for general legislation. It was at a much later time that the wise men of Wessex, or Northumbria, or Mercia learned to come together in the witenagemote of all England. The synods which Theodore convened as religiously representative of the whole English nation led the way by their example to our national parliaments. The

canons which these synods enacted led the way to a national system of law.

57. The organization of the episcopate was followed by the organization of the parish system. The mission-station or monastery from which priest or bishop went forth on journey after journey to preach and baptize naturally disappeared as the land became Christian. The missionaries turned into settled clergy. As the king's chaplain became a bishop and the kingdom his diocese, so the chaplain of an English noble became the priest and the manor his parish. But this parish system is probably later than Theodore, and the system of tithes which has been sometimes coupled with his name dates only from the close of the eighth century. What was really due to him was the organization of the episcopate, and the impulse which this gave to national unity. But the movement toward unity found a sudden check in the revived strength of Mercia. Wulfhere proved a vigorous and active ruler, and the peaceful reign of Oswiu left him free to build up again during seventeen years of rule (657–675) that Mercian overlordship over the tribes of Mid-England which had been lost at Penda's death. He had more than his father's success. Not only did Essex again own his supremacy, but even London fell into Mercian hands. The West-Saxons were driven across the Thames, and nearly all their settlements to the north of that river were annexed to the Mercian realm. Wulfhere's supremacy soon reached even south of the Thames, for Sussex in its dread

of West-Saxons found protection in accepting his overlordship, and its king was rewarded by a gift of the two outlying settlements of the Jutes—the Isle of Wight and the lands of the Meonwaras along the Southampton water—which we must suppose had been reduced by Mercian arms. The industrial progress of the Mercian kingdom went hand in hand with its military advance. The forests of its western border, the marshes of its eastern coast, were being cleared and drained by monastic colonies, whose success shows the hold which Christianity had now gained over its people. Heathenism indeed still held its own in the wild western woodlands and in the yet wilder fen-country on the eastern border of the kingdom which stretched from the "Holland," the sunk, hollow land of Lincolnshire, to the channel of the Ouse, a wilderness of shallow waters and reedy islets wrapped in its own dark mist-veil and tenanted only by flocks of screaming wild-fowl. But in either quarter the new faith made its way. In the western woods Bishop Ecgwine found a site for an abbey round which gathered the town of Evesham, and the eastern fen-land was soon filled with religious houses. Here, through the liberality of King Wulfhere, rose the abbey of Peterborough. Here, too, Guthlac, a youth of the royal race of Mercia, sought a refuge from the world in the solitudes of Crowland, and so great was the reverence he won that only two years had passed since his death when the stately abbey of Crowland rose over his tomb. Earth was brought in boats to form a site; the buildings rested on oaken piles driven into

the marsh; a great stone church replaced the hermit's cell; and the toil of the new brotherhood changed the pools around them into fertile meadow land.

58. In spite, however, of this rapid recovery of its strength by Mercia, Northumbria remained the dominant state in Britain: and Ecgfrith, who succeeded Oswiu in 670, so utterly defeated Wulfhere when war broke out between them that he was glad to purchase peace by the surrender of Lincolnshire. Peace would have been purchased more hardly had not Ecgfrith's ambition turned rather to conquests over the Briton than to victories over his fellow-Englishmen. The war between Briton and Englishman which had languished since the battle of Chester had been revived some twelve years before by an advance of the West-Saxons to the south-west. Unable to save the possessions of Wessex north of the Thames from the grasp of Wulfhere, their king, Cenwalh, sought for compensation in an attack on his Welsh neighbors. A victory at Bradford on the Avon enabled him to overrun the country near Mendip which had till then been held by the Britons; and a second campaign in 658, which ended in a victory on the skirts of the great forest that covered Somerset to the east, settled the West-Saxons as conquerors round the sources of the Parret. It may have been the example of the West-Saxons which spurred Ecgfrith to a series of attacks upon his British neighbors in the west which widened the bounds of his kingdom. His reign marks the highest pitch of Northumbrian power. His armies chased the Britons from the kingdom of Cumbria and made the district

of Carlisle English ground. A large part of the conquered country was bestowed upon the See of Lindisfarne, which was at this time filled by one whom we have seen before laboring as the apostle of the Lowlands. Cuthbert had found a new mission-station in Holy Island, and preached among the moors of Northumberland as he had preached beside the banks of Tweed. He remained there through the great secession which followed on the synod of Whitby, and became prior of the dwindled company of brethren, now torn with endless disputes against which his patience and good humor struggled in vain. Worn out last, he fled to a little island of basaltic rock, one of the Farne group not far from Ida's fortress of Bamborough, strewn for the most part with kelp and sea-weed, the home of the gull and the seal. In the midst of it rose his hut of rough stones and turf, dug down within deep into the rock, and roofed with logs and straw. But the reverence for his sanctity dragged Cuthbert back to fill the vacant see of Lindisfarne. He entered Carlisle, which the king had bestowed upon the bishopric, at a moment when all Northumbria was waiting for news of a fresh campaign of Ecgfrith's against the Britons in the north. The Firth of Forth had long been the limit of Northumbria, but the Picts to the north of it owned Ecgfrith's supremacy. In 685, however, the king resolved on their actual subjection and marched cross the Forth. A sense of coming ill weighed on Northumbria, and its dread was quickened by a memory of the curses which had been pronounced by the bishops of Ireland on its

king, when his navy, setting out a year before from the newly conquered western coast, swept the Irish shores in a raid which seemed like sacrilege to those who loved the home of Aidan and Columba. As Cuthbert bent over a Roman fountain which still stood unharmed among the ruins of Carlisle, the anxious bystanders thought they caught words of ill-omen falling from the old man's lips. "Perhaps," he seemed to murmur, "at this very hour the peril of the fight is over and done." "Watch and pray," he said, when they questioned him on the morrow; "watch and pray." In a few days more a solitary fugitive, escaped from the slaughter, told that the Picts had turned desperately to bay as the English army entered Fife; and that Ecgfrith and the flower of his noble slay, a ghastly ring of corpses, on the far-off moorland of Nectansmere.

59. The blow was a fatal one for Northumbrian greatness, for while the Picts pressed on the kingdom from the north, Æthelrod, Wulfhere's successor, attacked it on the Mercian border, and the war was only ended by a peace which left him master of middle England and free to attempt the direct conquest of the south. For the moment this attempt proved a fruitless one. Mercia was still too weak to grasp the lordship which was slipping from Northumbria's hands, while Wessex, which seemed her destined prey, rose at this moment into fresh power under the greatest of its early kings. Ine, the West Saxon king whose reign covered the long period from 688 to 728, carried on during the whole of it the war which Centwine had begun. He pushed his way

southward round the marshes of the Parret to a more fertile territory, and guarded the frontier of his new conquests by a wooden fort on the banks of the Tone, which has grown into the present Taunton. The West Saxons thus became masters of the whole district which now bears the name of Somerset. The conquest of Sussex and of Kent on his eastern border made Ine master of all Britain south of the Thames, and his repulse of a new Mercian king, Ceolred, in a bloody encounter at Wodnesburh in 714 seemed to establish the threefold division of the English race between three realms of almost equal power. But able as Ine was to hold Mercia at bay, he was unable to hush the civil strife that was the curse of Wessex, and a wild legend tells the story of the disgust which drove him from the world. He had feasted royally at one of his country houses, and on the morrow, as he rode from it, his queen bade him turn back thither. The king returned to find his house stripped of curtains and vessels, and foul with refuse and the dung of cattle, while in the royal bed where he had slept with Æthelburh rested a sow with her farrow of pigs. The scene had no need of the queen's comment: "See, my lord, how the fashion of this world passeth away!" In 726 he sought peace in a pilgrimage to Rome. The anarchy which had driven Ine from the throne broke out in civil strife which left Wessex an easy prey to Æthelbald, the successor of Ceolred in the Mercian realm. Æthelbald took up with better fortune the struggle of his people for supremacy over the south. He penetrated to the very heart of the West Saxon kingdom, and his

siege and capture of the royal town of Somerton in 733 ended the war. For twenty years the overlordship of Mercia was recognized by all Britain south of the Humber. It was at the head of the forces not of Mercia only but of East Anglia, Kent, and Essex, as well as of the West Saxons, that Æthelbald marched against the Welsh on his western border.

60. In so complete a mastery of the south the Mercian king found grounds for a hope that Northern Britain would also yield to his sway. But the dream of a single England was again destined to be foiled. Fallen as Northumbria was from its old glory, it still remained a great power. Under the peaceful reigns of Ecgfrith's successors, Aldfrith and Ceolwulf, their kingdom became the literary center of Western Europe. No schools were more famous than those of Jarrow and York. The whole learning of the age seemed to be summed up in a Northumbrian scholar. Bæda—the venerable Bede as later times styled him—was born about ten years after the Synod of Whitby beneath the shade of a great abbey which Benedict Biscop was rearing by the mouth of the Wear. His youth was trained and his long tranquil life was wholly spent in an offshoot of Benedict's house which was founded by his scholar, Ceolfrid. Bæda never stirred from Jarrow. "I spent my whole life in the same monastery," he says, "and while attentive to the rule of my order and the service of the church, my constant pleasure lay in learning, or teaching, or writing." The words sketch for us a scholar's life, the more touching in its simplicity that it is the life of the first great English

scholar. The quiet grandeur of a life consecrated to knowledge, the tranquil pleasure that lies in learning and teaching and writing, dawned for Englishmen in the story of Bæda. While still young he became a teacher, and 600 monks, besides strangers that flocked thither for instruction, formed his school of Jarrow. It is hard to imagine how among the toils of the schoolmaster and the duties of the monk Bæda could have found time for the composition of the numerous works that made his name famous in the west. But materials for study had accumulated in Northumbria through the journeys of Wilfrid and Benedict Biscop and the libraries which were forming at Wearmouth and York. The tradition of the older Irish teachers still lingered to direct the young scholar into that path of Scriptural interpretation to which he chiefly owed his fame. Greek, a rare accomplishment in the west, came to him from the school which the Greek Archbishop Theodore founded beneath the walls of Canterbury. His skill in the ecclesiastical chant was derived from a Roman cantor whom Pope Vitalian sent in the train of Benedict Biscop. Little by little the young scholar thus made himself master of the whole range of the science of his time: he became, as Burke rightly styled him, "the father of English learning." The tradition of the older classic culture was first revived for England in his quotations of Plato and Aristotle, of Seneca and Cicero, of Lucretius and Ovid. Virgil cast over him the same spell that he cast over Dante; verses from the Æneid break his narratives of martyrdoms, and the disciple ventures on the

track of the great master in a little eclogue descriptive of the approach of spring. His work was done with small aid from others. "I am my own secretary," he writes: "I make my own notes. I am my own librarian." But forty-five works remained after his death to attest his prodigious industry. In his own eyes and those of his contemporaries the most important among these were the commentaries and homilies upon various books of the Bible which he had drawn from the writings of the fathers. But he was far from confining himself to theology. In treatises compiled as text-books for his scholars Bæda threw together all that the world had then accumulated in astronomy and meteorology, in physics and music, in philosophy, grammar, rhetoric, arithmetic, medicine. But the encyclopedic character of his researches left him in heart a simple Englishman. He lóved his own English tongue, he was skilled in English song, his last work was a translation into English of the Gospel of St. John, and almost the last words that broke from his lips were some English rhymes upon death.

61. But the noblest proof of his love of England lies in the work which immortalizes his name. In his "Ecclesiastical History of the English Nation," Bæda was at once the founder of mediæval history and the first English historian. All that we really know of the century and a half that follows the landing of Augustine we know from him. Wherever his own personal observation extended, the story is told with admirable detail and force. He is hardly less full or accurate in the portions which he owed

to his Kentish friends, Alcwine and Nothelm. What he owed to no informant was his exquisite faculty of story-telling, and yet no story of his own telling is so touching as the story of his death. Two weeks before the Easter of 735 the old man was seized with an extreme weakness and loss of breath. He still preserved, however, his usual pleasantness and gay good-humor, and in spite of prolonged sleeplessness continued his lectures to the pupils about him. Verses of his own English tongue broke from time to time from the master's lip—rude rhymes that told how before the "need-fare," Death's stern "must go," none can enough bethink him what is to be his doom for good or ill. The tears of Bæda's scholars mingled with his song. "We never read without weeping," writes one of them. So the days rolled on to Ascension-tide, and still master and pupils toiled at their work, for Bæda longed to bring to an end his version of St. John's Gospel into the English tongue and his extracts from Bishop Isidore. "I don't want my boys to read a lie," he answered those who would have had him rest, "or to work to no purpose after I am gone." A few days before Ascension-tide his sickness grew upon him, but he spent the whole day in teaching, only saying cheerfully to his scholars, "Learn with what speed you may; I know not how long I may last." The dawn broke on another sleepless night, and again the old man called his scholars round him and bade them write. "There is still a chapter wanting," said the scribe, as the morning drew on, "and it is hard for thee to question thyself any longer." "It is easily done."

said Bæda; "take thy pen and write quickly." Amid tears and farewells the day wore on to eventide. "There is yet one sentence unwritten, dear master," said the boy. "Write it quickly," bade the dying man. "It is finished now," said the little scribe at last. "You speak truth," said the master; "all is finished now." Placed upon the pavement, his head supported in his scholar's arms, his face turned to the spot where he was wont to pray, Bæda chanted the solemn "Glory to God." As his voice reached the close of his song he passed quietly away.

62. First among English scholars, first among English theologians, first among English historians, it is in the monk of Jarrow that English literature strikes its roots. In the six hundred scholars who gathered round him for instruction he is the father of our national education. In his physical treatises he is the first figure to which our science looks back. But the quiet tenor of his scholar's life was broken by the growing anarchy of Northumbria, and by threats of war from its Mercian rival. At last Æthelbald marched on a state which seemed exhausted by civil discord and ready for submission to his arms. But its king, Eadberht, showed himself worthy of the kings that had gone before him, and in 740 he threw back Æthelbard's attack in a repulse which not only ruined the Mercian ruler's hopes of northern conquest but loosened his hold on the south. Already goaded to revolt by exactions, the West-Saxons were roused to a fresh struggle for independence, and after twelve years of continued outbreaks the whole people mustered at Burford under the

golden dragon of their race. The fight was a desperate one, but a sudden panic seized the Mercian king. He fled from the field, and a decisive victory freed Wessex from the Mercian yoke. Four years later, in 757, its freedom was maintained by a new victory at Secandun; but amidst the rout of his host Æthelbald redeemed the one hour of shame that had tarnished his glory; he refused to fly, and fell fighting on the field.

63. But though Eadberht might beat back the inroads of the Mercians and even conquer Strathclyde, before the anarchy of his own kingdom he could only fling down his scepter and seek a refuge in the cloister of Lindisfarne. From the death of Bæda the history of Northumbria became in fact little more than a wild story of lawlessness and bloodshed. King after king was swept away by treason and revolt, the country fell into the hands of its turbulent nobles, its very fields lay waste, and the land was scourged by famine and plague. An anarchy almost as complete fell on Wessex after the recovery of its freedom. Only in Mid-England was there any sign of order and settled rule. The two crushing defeats at Burford and Secandun, though they had brought about revolts which stripped Mercia of all the conquests it had made, were far from having broken the Mercian power. Under the long reign of Offa, which went on from 755 to 796, it rose again to all but its old dominion. Since the dissolution of the temporary alliance which Penda formed with the Welsh king, Cadwallon, the war with the Britons in the west had been the one great hindrance to the

progress of Mercia. But under Offa Mercia braced herself to the completion of her British conquests. Beating back the Welsh from Hereford, and carrying his own ravages into the heart of Wales, Offa in 779 drove the King of Powys from his capital, which changed its old name of Pengwern for the significant English title of the Town in the Scrub or Bush, Scrobbesbyryg, Shrewsbury. Experience however had taught the Mercians the worthlessness of raids like these, and Offa resolved to create a military border by planting a settlement of Englishmen between the Severn, which had till then served as the western boundary of the English race, and the huge "Offa's Dyke" which he drew from the mouth of Wye to that of Dee. Here, as in the later conquests of the West-Saxons, the old plan of extermination was definitely abandoned and the Welsh who chose to remain dwelt undisturbed among their English conquerors. From these conquests over the Britons Offa turned to build up again the realm which had been shattered at Secandun. But his progress was slow. A reconquest of Kent in 774 woke anew the jealousy of the West Saxons; and though Offa repulsed their attack at Bensington in 777, the victory was followed by several years of inaction. It was not till Wessex was again weakened by fresh anarchy that he was able to seize East Anglia and restore his realm to its old bounds under Wulfhere. Further he could not go. A Kentish revolt occupied him till his death in 796, and his successor Cenwulf did little but preserve the realm he bequeathed him. At the close of the eighth century the drift of the

English peoples toward a national unity was in fact utterly arrested. The work of Northumbria had been foiled by the resistance of Mercia; the effort of Mercia had broken down before the resistance of Wessex. A threefold division seemed to have stamped itself upon the land; and so complete was the balance of power between the three realms which parted it that no subjection of one to the other seemed likely to fuse the English tribes into an English people.

CHAPTER III.

WESSEX AND THE NORTHMEN.

796–947.

64. The union which each English kingdom in turn had failed to bring about was brought about by the pressure of the Northmen. The dwellers in the isles of the Baltic or on either side of the Scandinavian peninsula had lain hidden till now from western Christendom, waging their battle for existence with a stern climate, a barren soil, and stormy seas. It was this hard fight for life that left its stamp on the temper of Dane, Swede, or Norwegian alike, that gave them their defiant energy, their ruthless daring, their passion for freedom and hatred of settled rule. Forays and plunder raids over sea eked out their scanty livelihood, and at the close of the eighth century these raids found a wider sphere than the waters of the northern seas. Tidings of the wealth garnered in the abbeys and towns of the new Christendom

which had risen from the wreck of Rome drew the pirates slowly southward to the coasts of northern Gaul; and just before Offa's death their boats touched the shores of Britain. To men of that day it must have seemed as though the world had gone back three hundred years. The same northern fiords poured forth their pirate-fleets as in the days of Hengest or Cerdic. There was the same wild panic as the black boats of the invaders struck inland along the river-reaches or moored round the river isles, the same sights of horror, firing of homesteads, slaughter of men, women driven off to slavery or shame, children tossed on pikes or sold in the market-place, as when the English themselves had attacked Britain. Christian priests were again slain at the altar by worshipers of Woden; letters, arts, religion, government disappeared before these Northmen as before the Northmen of three centuries before.

65. In 794 a pirate band plundered the monasteries of Jarrow and Holy Island, and the presence of the freebooters soon told on the political balance of the English realms. A great revolution was going on in the south, where Mercia was torn by civil wars which followed on Cenwulf's death, while the civil strife of the West-Saxons was hushed by a new king, Ecgberht. In Offa's days, Ecgberht had failed in his claim of the crown of Wessex, and had been driven to fly for refuge to the court of the Franks. He remained there through the memorable year during which Charles the Great restored the Empire of the West, and returned in 802 to be quietly welcomed as King by the West-Saxon people. A march

into the heart of Cornwall and the conquest of this last fragment of the British kingdom in the south-west freed his hands for a strife with Mercia, which broke out in 825, when the Mercian King, Beornwulf, marched into the heart of Wiltshire. A victory of Ecgberht at Ellandum gave all England south of Thames to the West-Saxons, and the defeat of Beornwulf spurred the men of East-Anglia to rise in a desperate revolt against Mercia. Two great overthrows at their hands had already spent its strength when Ecgberht crossed the Thames in 827, and the realm of Penda and Offa bowed without a struggle to its conqueror. But Ecgberht had wider aims than those of supremacy over Mercia alone. The dream of a union of all England drew him to the north. Northumbria was still strong; in learning and arts it stood at the head of the English race; and under a king like Eadberht it would have withstood Ecgberht as resolutely as it had withstood Æthelbald. But the ruin of Jarrow and Holy Island had cast on it a spell of terror. Torn by civil strife, and desperate of finding in itself the union needed to meet the Northmen, Northumbria sought union and deliverance in subjection to a foreign master. Its thegns met Ecgberht in Derbyshire, and owned the supremacy of Wessex.

66. With the submission of Northumbria, the work which Oswiu and Æthelbald had failed to do was done, and the whole English race was for the first time knit together under a single rule. The union came not a moment too soon. Had the old severance of people from people, the old civil strife

within each separate realm gone on, it is hard to see how the attacks of the Northmen could have been withstood. They were already settled in Ireland, and from Ireland a northern host landed in 836 at Charmouth in Dorsetshire strong enough to drive Ecgberht, when he hastened to meet them, from the field. His victory the year after at Hengestdun won a little rest for the land; but Æthelwulf, who mounted the throne on Ecgberht's death in 839, had to face an attack which was only beaten off by years of hard fighting. Æthelwulf fought bravely in defence of his realm; in his defeat at Charmouth, as in a final victory at Aclea in 851, he led his troops in person against the sea-robbers; and his success won peace for the land through the short and uneventful reigns of his sons, Æthelbald and Æthelberht. But the northern storm burst in full force upon England when a third son, Æthelred, followed his brothers on the throne. The Northmen were now settled on the coast of Ireland and the coast of Gaul; they were masters of the sea; and from west and east alike they closed upon Britain. While one host from Ireland fell on the Scot kingdom north of the Firth of Forth, another from Scandinavia landed in 866 on the coast of East-Anglia under Hubba, and marched the next year upon York. A victory over two claimants of its crown gave the pirates Northumbria; and their two armies united at Nottingham in 868 for an attack on the Mercian realm. Mercia was saved by a march of King Æthelred to Nottingham, but the peace he made there with the Northmen left them leisure to prepare for an invasion of

East-Anglia, whose under-king, Eadmund, brought prisoner before their leaders, was bound to a tree and shot to death with arrows. His martyrdom by the heathen made Eadmund the St. Sebastian of English legend; in later days his figure gleamed from the pictured windows of every church along the eastern coast, and the stately Abbey of St. Edmundsbury rose over his relics. With him ended the line of East-Anglian under-kings, for his kingdom was not only conquered but divided among the soldiers of the pirate host, and their leader, Guthrum, assumed its crown. Then the Northmen turned to the richer spoil of the great abbeys of the Fen. Peterborough, Crowland, Ely, went up in flames, and their monks fled or were slain among the ruins. Mercia, though still spared from actual conquest, cowered panic-stricken before the Northmen, and by payment of tribute owned them as its overlords.

67. In five years the work of Ecgberht had been undone, and England north of the Thames had been torn from the overlordship of Wessex. So rapid a change could only have been made possible by the temper of the conquered kingdoms. To them the conquest was simply their transfer from one overlord to another, and it may be that in all there were men who preferred the overlordship of the Northman to the overlordship of the West-Saxon. But the loss of the subject kingdoms left Wessex face to face with the invaders. The time had now come for it to fight, not for supremacy, but for life. As yet the land seemed paralyzed by terror. With the exception of his one march on Nottingham, King Æthel-

red had done nothing to save his under-kingdoms from the wreck. But the pirates no sooner pushed up Thames to Reading in 871 than the West-Saxons, attacked on their own soil, turned fiercely at bay. A desperate attack drove the Northmen from Ashdown on the heights that overlooked the vale of White Horse, but their camp in the tongue of land between the Kennet and Thames proved impregnable. Æthelred died in the midst of the struggle, and his brother Ælfred, who now became king, bought the withdrawal of the pirates and a few years' breathing-space for his realm. It was easy for the quick eye of Ælfred to see that the Northmen had withdrawn simply with the view of gaining firmer footing for a new attack; three years indeed had hardly passed before Mercia was invaded and its under-king driven over sea to make place for a tributary of the invaders. From Repton half their host marched northwards to the Tyne, while Guthrum led the rest into his kingdom of East-Anglia to prepare for their next year's attack on Wessex. In 876 his fleet appeared before Wareham, and when driven thence by Ælfred, the Northmen threw themselves into Exeter. Their presence there was likely to stir a rising of the Welsh, and through the winter Ælfred girded himself for this new peril. At break of spring his army closed round the town, a hired fleet cruised off the coast to guard against rescue, and the defeat of their fellows at Wareham in an attempt to relieve them drove the pirates to surrender. They swore to leave Wessex and withdrew to Gloucester. But Ælfred had hardly disbanded his troops when

his enemies, roused by the arrival of fresh hordes eager for plunder, reappeared at Chippenham, and in the opening of 878 marched ravaging over the land. The surprise of Wessex was complete, and for a month or two the general panic left no hope of resistance. Ælfred, with his small band of followers, could only throw himself into a fort raised hastily in the isle of Athelney among the marshes of the Parret, a position from which he could watch closely the movements of his foes. But with the first burst of spring he called the thegns of Somerset to his standard, and still gathering troops as he moved marched through Wiltshire on the Northmen. He found their host at Edington, defeated it in a great battle, and after a siege of fourteen days forced them to surrender and to bind themselves by a solemn peace or "frith" at Wedmore in Somerset. In form the peace of Wedmore seemed a surrender of the bulk of Britain to its invaders. All Northumbria, all East-Anglia, all Central England east of a line which stretched from Thames' mouth along the Lea to Bedford, thence along the Ouse to Watling Street, and by Watling Street to Chester, was left subject to the Northmen. Throughout this "Danelagh"—as it was called—the conquerors settled down among the conquered population as lords of the soil, thickly in Northern Britain, more thinly in its central districts, but everywhere guarding jealously their old isolation and gathering in separate "heres" or armies round towns which were only linked in loose confederacies. The peace had, in fact, saved little more than Wessex itself. But in saving Wessex, it saved

England. The spell of terror was broken. The tide of invasion turned. From an attitude of attack the Northmen were thrown back on an attitude of defense. The whole reign of Ælfred was a preparation for a fresh struggle that was to wrest back from the pirates the land they had won.

68. What really gave England heart for such a struggle was the courage and energy of the king himself. Ælfred was the noblest as he was the most complete embodiment of all that is great, all that is lovable, in the English temper. He combined as no other man has ever combined its practical energy, its patient and enduring force, its profound sense of duty, the reserve and self-control that steadies in it a wide outlook and a restless daring, its temperance and fairness, its frank geniality, its sensitiveness to affection, its poetic tenderness, its deep and passionate religion. Religion, indeed, was the groundwork of Ælfred's character. His temper was instinct with piety. Everywhere throughout his writings that remain to us the name of God, the thought of God, stir him to outbursts of ecstatic adoration. But he was no mere saint. He felt none of that scorn of the world about him which drove the nobler souls of his day to monastery or hermitage. Vexed as he was by sickness and constant pain, his temper took no touch of asceticism. His rare geniality, a peculiar elasticity and mobility of nature, gave color and charm to his life. A sunny frankness and openness of spirit breathes in the pleasant chat of his books, and what he was in his books he showed himself in his daily converse.

Ælfred was in truth an artist, and both the lights and shadows of his life were those of the artistic temperament. His love of books, his love of strangers, his questionings of travelers and scholars, betray an imaginative restlessness that longs to break out of the narrow world of experience which hemmed him in. At one time he jots down news of a voyage to the unknown seas of the north. At another he listens to tidings which his envoys bring back from the churches of Malabar. And side by side with this restless outlook of the artistic nature he showed its tenderness and susceptibility, its vivid apprehension of unseen danger, its craving for affection, its sensitiveness to wrong. It was with himself rather than with his reader that he communed as thoughts of the foe without, of ingratitude and opposition within, broke the calm pages of Gregory or Boethius. "Oh, what a happy man was he," he cries once, "that man that had a naked sword hanging over his head from a single thread; so as to me it always did!" "Desirest thou power?" he asks at another time. "But thou shalt never obtain it without sorrows—sorrows from strange folk, and yet keener sorrows from thine own kindred." "Hardship and sorrow!" he breaks out again, "not a king but would wish to be without these if he could. But I know that he cannot!" The loneliness which breathes in words like these has often begotten in great rulers a cynical contempt of men and the judgments of men. But cynicism found no echo in the large and sympathetic temper of Ælfred. He not only longed for the love of his subjects, but for the remembrance of "gen-

erations" to come. Nor did his inner gloom or anxiety check for an instant his vivid and versatile activity. To the scholars he gathered round him he seemed the very type of a scholar, snatching every hour he could find to read or listen to books read to him. The singers of his court found in him a brother-singer, gathering the old songs of his people to teach them to his children, breaking his renderings from the Latin with simple verse, solacing himself in hours of depression with the music of the Psalms. He passed from court and study to plan buildings and instruct craftsmen in gold-work, to teach even falconers and dog-keepers their business. But all this versatility and ingenuity was controlled by a cool good sense. Ælfred was a thorough man of business. He was careful of detail, laborious, methodical. He carried in his bosom a little handbook in which he noted things as they struck him—now a bit of family genealogy, now a prayer, now such a story as that of Ealdhelm playing minstrel on the bridge. Each hour of the day had its appointed task; there was the same order in the division of his revenue and in the arrangement of his court.

69. Wide, however, and various as was the king's temper, its range was less wonderful than its harmony. Of the narrowness, of the want of proportion, of the predominance of one quality over another which goes commonly with an intensity of moral purpose, Ælfred showed not a trace. Scholar and soldier, artist and man of business, poet and saint, his character kept that perfect balance which charms us in no other Englishman save Shakespeare.

But full and harmonious as his temper was, it was the temper of a king. Every power was bent to the work of rule. His practical energy found scope for itself in the material and administrative restoration of the wasted land. His intellectual activity breathed fresh life into education and literature. His capacity for inspiring trust and affection drew the hearts of Englishmen to a common center, and began the upbuilding of a new England. And all was guided, controlled, ennobled by a single aim. "So long as I have lived," said the king as life closed about him, "I have striven to live worthily." Little by little men came to know what such a life of worthiness meant. Little by little they came to recognize in Ælfred a ruler of higher and nobler stamp than the world had seen. Never had it seen a king who lived solely for the good of his people. Never had it seen a ruler who set aside every personal aim to devote himself solely to the welfare of those whom he ruled. It was this grand self-mastery that gave him his power over the men about him. Warrior and conqueror as he was, they saw him set aside at thirty the warrior's dream of conquest; and the self-renouncement of Wedmore struck the key note of his reign. But still more is it this height and singleness of purpose, this absolute concentration of the noblest faculties to the noblest aim, that lifts Ælfred out of the narrow bounds of Wessex. If the sphere of his action seems too small to justify the comparison of him with the few whom the world owns as its greatest men, he rises to their level in the moral grandeur of his life. And it is this which has hal-

lowed his memory among his own English people. "I desire," said the king in some of his latest words, "I desire to leave to the men that come after me a remembrance of me in good works." His aim has been more than fulfilled. His memory has come down to us with a living distinctness through the midst of exaggeration and legend which time gathered round it. The instinct of the people has clung to him with a singular affection. The love which he won a thousand years ago has lingered round his name from that day to this. While every other name of those earlier times has all but faded from the recollection of Englishmen, that of Ælfred remains familiar to every English child.

70. The secret of Ælfred's government lay in his own vivid energy. He could hardly have chosen braver or more active helpers than those whom he employed both in his political and in his educational efforts. The children whom he trained to rule proved the ablest rulers of their time. But at the outset of his reign he stood alone, and wh work was to be done was done by the king himself. His first efforts were directed to the material restoration of his realm. The burned and wasted country saw its towns built again, forts erected in positions of danger, new abbeys founded, the machinery of justice and government restored, the laws codified and amended. Still more strenuous were Ælfred's efforts for its moral and intellectual restoration. Even in Mercia and Northumbria the pirates' sword had left few survivors of the schools of Ecgberht or Bæda, and matters were even worse in Wessex which had been as yet the

most ignorant of the English kingdoms. "When I began to reign," said Ælfred, "I cannot remember one priest south of the Thames who could render his service-book into English." For instructors, indeed, he could find only a few Mercian prelates and priests, with one Welsh bishop, Asser. "Formerly,' the king writes bitterly, "men came hither from foreign lands to seek for instruction, and now when we desire it we can only obtain it from abroad." But his mind was far from being prisoned within his own island. He sent a Norwegian ship-master to explore the White Sea, and Wulfstan to trace the coast of Esthonia; envoys bore his presents to the churches of India and Jerusalem, and an annual mission carried Peter's pence to Rome. But it was with the Franks that his intercourse was closest, and it was from them that he drew the scholars to aid him in his work of education. A scholar named Grimbald came from St. Omer to preside over his new abbey at Winchester; and John, the old Saxon, was fetched from the abbey of Corby to rule a monastery and school that Ælfred's gratitude for his deliverance from the Danes raised in the marshes of Athelney. The real work however to be done was done, not by these teachers but by the king himself. Ælfred established a school for the young nobles in his court, and it was to the need of books for these scholars in their own tongue that we owe his most remarkable literary effort. He took his books as he found them—they were the popular manuals of his age—the consolation of Boethius, the pastoral of Pope Gregory, the compilation of Orosius, then the one accessible hand-book of universal his-

tory, and the history of his own people by Bæda. He translated these works into English, but he was far more than a translator, he was an editor for the people. Here he omitted, there he expanded. He enriched Orosius by a sketch of the new geographical discoveries in the north. He gave a West-Saxon form to his selections from Bæda. In one place he stops to explain his theory of government, his wish for a thicker population, his conception of national welfare as consisting in a due balance of priest, soldier, and churl. The mention of Nero spurs him to an outbreak on the abuses of power. The cold providence of Boethius gives way to an enthusiastic acknowledgment of the goodness of God. As he writes, his large-hearted nature flings off its royal mantle, and he talks as a man to men. "Do not blame me," he prays with a charming simplicity, "if any know Latin better than I, for every man must say what he says and do what he does according to his ability." But simple as was his aim, Ælfred changed the whole front of our literature. Before him, England possessed in her own tongue one great poem and a train of ballads and battle-songs. Prose she had none. The mighty roll of the prose books that fill her libraries begins with the translations of Ælfred, and above all with the chronicle of his reign. It seems likely that the king's rendering of Bæda's history gave the first impulse toward the compilation of what is known as the English or Anglo-Saxon chronicle, which was certainly thrown into its present form during his reign. The meager lists of the kings of Wessex and the bishops of Winchester,

which had been preserved from older times, were roughly expanded into a national history by insertions from Bæda; but it is when it reaches the reign of Ælfred that the chronicle suddenly widens into the vigorous narrative, full of life and originality, that marks the gift of a new power to the English tongue. Varying as it does from age to age in historic value, it remains the first vernacular history of any Teutonic people, and save for the Gothic translations of Ulfilas, the earliest and most venerable monument of Teutonic prose.

71. But all this literary activity was only a part of that general upbuilding of Wessex by which Ælfred was preparing for a fresh contest with the stranger. He knew that the actual winning back of the Danelagh must be a work of the sword, and through these long years of peace he was busy with the creation of such a force as might match that of the Northmen. A fleet grew out of the little squadron which Ælfred had been forced to man with Frisian seamen. The national fyrd or levy of all freemen at the king's call was reorganized. It was now divided into two halves, one of which served in the field while the other guarded its own burhs and townships and served to relieve its fellow when the men's forty days of service were ended. A more disciplined military force was provided by subjecting all owners of five hides of land to thegn-service, a step which recognized the change that had now substituted the thegn for the eorl and in which we see the beginning of a feudal system. How effective these measures were was seen when the new resistance they met on

the continent drove the Northmen to a fresh attack on Britain. In 893 a large fleet steered for the Andredsweald, while the sea-king Hasting entered the Thames. Ælfred held both at bay through the year till the men of the Danelagh rose at their comrades' call. Wessex stood again front to front with the Northmen. But the king's measures had made the realm strong enough to set aside its old policy of defense for one of vigorous attack. His son Eadward and his son-in-law Æthelred, whom he had set as ealdorman over what remained of Mercia, showed themselves as skilful and active as the king. The aim of the Northmen was to rouse again the hostility of the Welsh; but while Ælfred held Exeter against their fleet Eadward and Æthelred caught their army near the Severn and overthrew it with a vast slaughter at Buttington. The destruction of their camp on the Lea by the united English forces ended the war; in 897 Hasting again withdrew across the Channel, and the Danelagh made peace. It was with the peace he had won still about him that Ælfred died in 901, and warrior as his son Eadward had shown himself, he clung to his father's policy of rest. It was not till 910 that a fresh rising of the Northmen forced Ælfred's children to gird themselves to the conquest of the Danelagh.

72. While Eadward bridled East-Anglia, his sister Æthelflæd, in whose hands Æthelred's death left English Mercia, attacked the "Five Boroughs," a rude confederacy which had taken the place of the older Mercian kingdom. Derby represented the original Mercia on the upper Trent, Lincoln the

Lindiswaras, Leicester the Middle-English, Stamford the province of the Gyrwas, Nottingham probably that of the Southumbrians. Each of these "Five Boroughs" seems to have been ruled by its earl with his separate "host;" within each twelve "lawmen" administered Danish law, while a common justice-court existed for the whole confederacy. In her attack on this powerful league Æthelflæd abandoned the older strategy of battle and raid for that of siege and fortress-building. Advancing along the line of Trent, she fortified Tamworth and Stafford on its headwaters; when a rising in Gwent called her back to the Welsh border, her army stormed Brecknock; and its king no sooner fled for shelter to the Northmen in whose aid he had risen than Æthelflæd at once closed on Derby. Raids from Middle-England failed to draw the lady of Mercia from her prey; and Derby was hardly her own when, turning southward, she forced the surrender of Leicester. The brilliancy of his sister's exploits had as yet eclipsed those of the king, but the son of Ælfred was a vigorous and active ruler; he had repulsed a dangerous inroad of the Northmen from France, summoned no doubt by the cry of distress from their brethren in England, and had bridled East-Anglia to the south by the erection of forts at Hertford and Witham. On the death of Æthelflæd in 918 he came boldly to the front. Annexing Mercia to Wessex, and thus gathering the whole strength of the kingdom into his single hand, he undertook the systematic reduction of the Danelagh. South of the Middle-English and the Fens lay a tract watered by the Ouse and the Nen—originally

the district of a tribe known as the South-English, and now, like the Five Boroughs of the north, grouped round the towns of Bedford, Huntingdon, and Northampton. The reduction of these was followed by that of East-Anglia; the Northmen of the Fens submitted with Stamford, the Southumbrians with Nottingham. Eadward's Mercian troops had already seized Manchester; he himself was preparing to complete his conquests, when in 924 the whole of the north suddenly laid itself at his feet. Not merely Northumbria, but the Scots and the Britons of Strathclyde, "chose him to father and lord."

73. The triumph was his last. Eadward died in 925, but the reign of his son Æthelstan, Ælfred's golden-haired grandson, whom the king had girded as a child with a sword set in a golden scabbard and a gem-studded belt, proved even more glorious than his own. In spite of its submission the north had still to be won. Dread of the Northmen had drawn Scot and Cumbrian to their acknowledgment of Eadward's overlordship, but Æthelstan no sooner incorporated Northumbria with his dominions than dread of Wessex took the place of dread of the Danelagh. The Scot King Constantine organized a league of Scot, Cumbrian, and Welshman with the Northmen. The league was broken by Æthelstan's rapid action in 926; the North-Welsh were forced to pay annual tribute, to march in his armies, and to attend his councils; the West-Welsh of Cornwall were reduced to a like vassalage, and finally driven from Exeter, which they had shared till then with its English inhabitants. But ten years later the same

league called Æthelstan again to the north; and though Constantine was punished by an army which wasted his kingdom while a fleet ravaged its coasts to Caithness the English army had no sooner withdrawn than Northumbria rose, in 927, at the appearance of a fleet of pirates from Ireland under the sea-king Anlaf in the Humber. Scot and Cumbrian fought beside the Northmen against the West-Saxon king; but his victory at Brunanburh crushed the confederacy and won peace till his death. His son Eadmund was but a boy at his accession in 940, and the north again rose in revolt. The men of the Five Boroughs joined their kinsmen in Northumbria; once Eadmund was driven to a peace which left him king but south of the Watling street; and only years of hard fighting again laid the Danelagh at his feet.

74. But policy was now to supplement the work of the sword. The completion of the West-Saxon realm was in fact reserved for the hands, not of a king or warrior, but of a priest. Dunstan stands first in the line of ecclesiastical statesmen who counted among them Lanfranc and Wolsey and ended in Laud. He is still more remarkable in himself, in his own vivid personality after eight centuries of revolution and change. He was born in the little hamlet of Glastonbury, the home of his father, Heorstan, a man of wealth and brother of the bishops of Wells and of Winchester. It must have been in his father's hall that the fair, diminutive boy, with his scant but beautiful hair, caught his love for "the vain songs of heathendom, the trifling legends, the funeral chants," which afterward roused against him the charge of sorcery.

Thence, too, he might have derived his passionate love of music, and his custom of carrying his harp in hand on journey or visit. Wandering scholars of Ireland had left their books in the monastery of Glastonbury, as they left them along the Rhine and the Danube; and Dunstan plunged into the study of sacred and profane letters till his brain broke down in delirium. So famous became his knowledge in the neighborhood that news of it reached the court of Æthelstan, but his appearance there was the signal for a burst of ill-will among the courtiers. They drove him from the king's train, threw him from his horse as he passed through the marshes, and with the wild passion of their age trampled him under foot in the mire. The outrage ended in fever, and Dunstan rose from his sick-bed a monk. But the monastic profession was then little more than a vow of celibacy, and his devotion took no ascetic turn. His nature in fact was sunny, versatile, artistic; full of strong affections, and capable of inspiring others with affections as strong. Quick-witted, of tenacious memory, a ready and fluent speaker, gay and genial in address, an artist, a musician, he was at the same time an indefatigable worker at books, at building, at handicraft. As his sphere began to widen we see him followed by a train of pupils, busy with literature, writing, harping, painting, designing. One morning a lady summons him to her house to design a robe which she is embroidering, and, as he bends with her maidens over their toil, his harp, hung upon the walls, sounds without mortal touch tones which the excited ears around frame into a joyous antiphon.

75. From this scholar-life Dunstan was called to a wider sphere of activity by the accession of Eadmund. But the old jealousies revived at his reappearance at court, and counting the game lost Dunstan prepared again to withdraw. The king had spent the day in the chase; the red deer which he was pursuing dashed over Cheddar cliffs, and his horse only checked itself on the brink of the ravine at the moment when Eadmund, in the bitterness of death, was repenting of his injustice to Dunstan. He was at once summoned on the king's return. "Saddle your horse," said Eadmund, "and ride with me." The royal train swept over the marshes to his home; and the king, bestowing on him the kiss of peace, seated him in the abbot's chair as Abbot of Glastonbury. Dunstan became one of Eadmund's councilors, and his hand was seen in the settlement of the north. It was the hostility of the states around it to the West-Saxon rule which had roused so often revolt in the Danelagh; but from this time we hear nothing more of the hostility of Bernicia, while Strathclyde was conquered by Eadmund and turned adroitly to account in winning over the Scots to his cause. The greater part of it was granted to their King Malcolm on terms that he should be Eadmund's fellow-worker by sea and land. The league of Scot and Briton was thus finally broken up, and the fidelity of the Scots secured by their need of help in holding down their former ally. The settlement was soon troubled by the young king's death. As he feasted at Pucklechurch in the May of 946, Leofa, a robber whom Eadmund had banished from the

land, entered the hall, seated himself at the royal board, and drew sword on the cup-bearer when he bade him retire. The king sprang in wrath to his thegn's aid, and, seizing Leofa by the hair, flung him to the ground; but in the struggle the robber drove his dagger to Eadmund's heart. His death at once stirred fresh troubles in the north; the Danelagh rose against his brother and successor, Eadred, and some years of hard fighting were needed before it was again driven to own the English supremacy. But with its submission in 954 the work of conquest was done. Dogged as his fight had been, the Northman at last owned himself beaten. From the moment of Eadred's final triumph all resistance came to an end. The Danelagh ceased to be a force in English politics. North might part anew from south; men of Yorkshire might again cross swords with men of Hampshire; but their strife was henceforth a local strife between men of the same people; it was a strife of Englishmen with Englishmen, and not of Englishmen with Northmen.

CHAPTER IV.

FEUDALISM AND THE MONARCHY.

954-1071.

76. THE fierceness of the Northman's onset had hidden the real character of his attack. To the men who first fronted the pirates it seemed as though the story of the world had gone back to the days when the German barbarians first broke in upon the civil-

ized world. It was so above all in Britain. All that tradition told of the Englishmen's own attack on the island was seen in the Northmen's attack on it. Boats of marauders from the northern seas again swarmed off the British coast; church and town were again the special object of attack; the invaders again settled on the conquered soil; heathendom again proved stronger than the faith of Christ. But the issues of the two attacks showed the mighty difference between them. When the English ceased from their onset upon Roman Britain, Roman Britain had disappeared, and a new people of conquerors stood alone on the conquered land. The Northern storm, on the other hand, left land, people, government unchanged. England remained a country of Englishmen. The conquerors sank into the mass of the conquered, and Woden yielded without a struggle to Christ. The strife between Briton and Englishman was, in fact, a strife between men of different races, while the strife between Northman and Englishmen was a strife between men whose race was the same. The followers of Hengest or of Ida were men utterly alien from the life of Britain, strange to its arts, its culture, its wealth, as they were strange to the social degradation which Rome had brought on its province. But the Northman was little more than an Englishman bringing back to an England which had drifted far from its origin the barbaric life of its earliest forefathers. Nowhere throughout Europe was the fight so fierce, because nowhere else were the fighters men of one blood and one speech. But, just for this reason, the union of

the combatants was nowhere so peaceful or so complete. The victory of the house of Ælfred only hastened a process of fusion which was already going on. From the first moment of his settlement in the Danelagh the Northman had been passing into an Englishman. The settlers were few; they were scattered among a large population; in tongue, in manner, in institutions, there was little to distinguish them from the men among whom they dwelt. Moreover, their national temper helped on the process of assimilation. Even in France, where difference of language and difference of custom seemed to interpose an impassable barrier between the Northman settled in Normandy and his neighbors, he was fast becoming a Frenchman. In England, where no such barriers existed, the assimilation was even quicker. The two peoples soon became confounded. In a few years a Northman in blood was Archbishop of Canterbury and another Northman in blood was Archbishop of York.

77. The fusion might have been delayed, if not wholly averted, by continued descents from the Scandinavian homeland. But with Eadred's reign the long attack which the Northman had directed against western Christendom came, for a while at least, to an end. On the world which it assailed its results had been immense. It had utterly changed the face of the west. The empire of Ecgberht, the empire of Charles the Great, had been alike dashed to pieces. But break and change as it might, Christendom had held the Northmen at bay. The Scandinavian power which had grown up on the western seas had

disappeared like a dream. In Ireland the Northman's rule had dwindled to the holding of a few coast towns. In France his settlements had shrunk to the one settlement of Normandy. In England every Northman was a subject of the English King. Even the empire of the seas had passed from sea-kings' hands. It was an English and not a Scandinavian fleet that for fifty years to come held mastery in the English and the Irish channels. With Eadred's victory, in fact, the struggle seemed to have reached its close. Stray pirate boats still hung off headland and coast; stray vikings still shoved out in spring-tide to gather booty. But for nearly half a century to come no great pirate fleet made its way to the west, or landed on the shores of Britain. The energies of the Northmen were, in fact, absorbed through these years in the political changes of Scandinavia itself. The old isolation of fiord from fiord and dale from dale was breaking down. The little commonwealths which had held so jealously aloof from each other were being drawn together whether they would or no. In each of the three regions of the north great kingdoms were growing up. In Sweden King Eric made himself lord of the petty states about him. In Denmark King Gorm built up in the same way a monarchy of the Danes. Norway, though it lingered long, followed at last in the same track. Legend told how one of its many rulers, Harald of Westfold, sent his men to bring him Gytha of Hordaland, a girl he had chosen for wife, and how Gytha sent his men back again with taunts at his petty realm. The taunts went home, and

Harald vowed never to clip or comb his hair till he had made all Norway his own. So every spring-tide came war and hosting, harrying and burning, till a great fight at Hafursfiord settled the matter, and Harald "Ugly-Head," as men called him while the strife lasted, was free to shear his locks again and became Harald "Fair-Hair." The Northmen loved no master, and a great multitude fled out of the country, some pushing as far as Iceland and colonizing it, some swarming to the Orkneys and Hebrides till Harald harried them out again, and the sea-kings sailed southward to join Guthrum's host in the Rhine country, or follow Rolf to his fights on the Seine. But, little by little, the land settled down into order, and the three Scandinavian realms gathered strength for new efforts which were to leave their mark on our after history.

78. But of the new danger which threatened it in this union of the north England knew little. The storm seemed to have drifted utterly away; and the land passed from a hundred years of ceaseless conflict into a time of peace. Here as elsewhere the Northman had failed in his purpose of conquest; but here as elsewhere he had done a mighty work. In shattering the empire of Charles the Great he had given birth to the nations of modern Europe. In his long strife with Englishmen he had created an English people. The national union which had been brought about for a moment by the sword of Ecgberht was a union of sheer force, which broke down at the first blow of the sea-robbers. The black boats of the Northmen were so many wedges that split up

the fabric of the roughly built realm. But the very agency which destroyed the new England was destined to bring it back again, and to breathe into it a life that made its union real. The peoples who had so long looked on each other as enemies found themselves fronted by a common foe. They were thrown together by a common danger and the need of a common defense. Their common faith grew into a national bond as religion struggled hand in hand with England itself against the heathen of the north. They recognized a common king as a common struggle changed Ælfred and his sons from mere leaders of West-Saxons into leaders of all Englishmen in their fight with the stranger. And when the work which Ælfred set his house to do was done, when the yoke of the Northman was lifted from the last of his conquests, Engle and Saxon, Northumbrian and Mercian, spent with the battle for a common freedom and a common country, knew themselves in the hour of their deliverance as an English people.

79. The new people found its center in the king. The heightening of the royal power was a direct outcome of the war. The dying out of other royal stocks left the house of Cerdic the one line of hereditary kingship. But it was the war with the Northmen that raised Ælfred and his sons from tribal leaders into national kings. The long series of triumphs which wrested the land from the stranger begot a new and universal loyalty, while the wider dominion which their success bequeathed removed the kings further and further from their people, lifted them higher and higher above the nobles, and

clothed them more and more with a mysterious dignity. Above all, the religious character of the war against the Northmen gave a religious character to the sovereigns who waged it. The king, if he was no longer sacred as the son of Woden, became yet more sacred as "the Lord's Anointed." By the very fact of his consecration he was pledged to a religious rule, to justice, mercy, and good government; but his "hallowing" invested him also with a power drawn not from the will of man or the assent of his subjects, but from the will of God, and treason against him became the worst of crimes. Every reign lifted the sovereign higher in the social scale. The bishop, once ranked equal with him in value of life, sank to the level of the ealdorman. The ealdorman himself, once the hereditary ruler of a smaller state, became a mere delegate of the national king, with an authority curtailed in every shire by that of the royal shire-reeves, officers dispatched to levy the royal revenues and to administer the royal justice. Among the latter nobility of the thegns, personal service with such a lord was held not to degrade but to ennoble. "Dish-thegn" and "bower-thegn," "house-thegn" and "horse-thegn," found themselves great officers of state; and the development of politics, the wider extension of home and foreign affairs, were already transforming these royal officers into a standing council or ministry for the transaction of the ordinary administrative business and the reception of judicial appeals. Such a ministry, composed of thegns or prelates nominated by the king, and constituting in itself a large part of the

witenagemote when that assemblage was gathered for legislative purposes, drew the actual control of affairs more and more into the hands of the sovereign himself.

80. But the king's power was still a personal power. He had to be everywhere and to see for himself that everything he willed was done. The royal claims lay still far ahead of the real strength of the crown. There was a want of administrative machinery in actual connection with the government, responsible to it, drawing its force directly from it, and working automatically in its name even in moments when the royal power was itself weak or wavering. The crown was strong under a king who was strong, whose personal action was felt everywhere throughout the realm, whose dread lay on every reeve and ealdorman. But with a weak king the crown was weak. Ealdorman, provincial witenagemotes, local jurisdictions, ceased to move at the royal bidding the moment the direct royal pressure was loosened or removed. Enfeebled as they were, the old provincial jealousies, the old tendency to severance and isolation lingered on and woke afresh when the crown fell to a nerveless ruler or to a child. And at the moment we have reached the royal power and the national union it embodied had to battle with fresh tendencies toward national disintegration which sprang like itself from the struggle with the Northman. The tendency toward personal dependence and toward a social organization based on personal dependence, received an overpowering impulse from the strife. The long insecurity of a cen-

tury of warfare drove the ceorl, the free tiller of the soil, to seek protection more and more from the thegn beside him. The freeman "commended" himself to a lord who promised aid, and as the price of this shelter he surrendered his freehold to receive it back as a fief laden with conditions of military service. The principle of personal allegiance which was embodied in the very notion of thegn-hood, itself tended to widen into a theory of general dependence. From Ælfred's day it was assumed that no man could exist without a lord. The "lordless man" became a sort of outlaw in the realm. The free man, the very base of the older English constitution, died down more and more into the "villein," the man who did suit and service to a master, who followed him to the field, who looked to his court for justice, who rendered days of service in his demesne. The same tendencies drew the lesser thegns around the greater nobles, and these around the provincial ealdormen. The ealdormen had hardly been dwarfed into lieutenants of the national sovereign before they again began to rise into petty kings, and in the century which follows we see Mercian or Northumbrian thegns following a Mercian or Northumbrian ealdorman to the field though it were against the lord of the land. Even the constitutional forms which sprang from the old English freedom tended to invest the higher nobles with a commanding power. In the "great meeting" of the witenagemote or assembly of the wise lay the rule of the realm. It represented the whole English people, as the wisemoots of each kingdom represented the separate

peoples of each; and its powers were as supreme in the wider field as theirs in the narrower. It could elect or depose the king. To it belonged the higher justice, the imposition of taxes, the making of laws, the conclusion of treaties, the control of wars, the disposal of public lands, the appointment of great officers of state. But such a meeting necessarily differed greatly in constitution from the witans of the lesser kingdoms. The individual freeman, save when the host was gathered together, could hardly take part in its deliberations. The only relic of its popular character lay at last in the ring of citizens who gathered round the wise men at London or Winchester, and shouted their "aye" or "nay" at the election of a king. Distance and the hardships of travel made the presence of the lesser thegns as rare as that of the freemen; and the national council practically shrank into a gathering of the ealdormen, the bishops, and the officers of the crown.

81. The old English democracy had thus all but passed into an oligarchy of the narrowest kind. The feudal movement which in other lands was breaking up every nation into a mass of loosely-knit states, with nobles at their head who owned little save a nominal allegiance to their king, threatened to break up England itself. What hindered its triumph was the power of the crown, and it is the story of this struggle between the monarchy and these tendencies to feudal isolation which fills the period between the death of Eadred and the conquest of the Norman. It was a struggle which England shared with the rest of the western world, but

its issue here was a peculiar one. In other countries feudalism won an easy victory over the central government. In England alone the monarchy was strong enough to hold feudalism at bay. Powerful as he might be, the English ealdorman never succeeded in becoming really hereditary or independent of the crown. Kings as weak as Æthelred could drive ealdorman into exile and could replace them by fresh nominees. If the witenagemote enabled the great nobles to bring their power to bear directly upon the crown, it preserved at any rate a feeling of national unity, and was forced to back the crown against individual revolt. The Church, too, never became feudalized. The bishop clung to the crown and the bishop remained a great social and political power. As local in area as the ealdorman, for the province was his diocese, and he sat by his side in the local witenagemote, he furnished a standing check on the independence of the great nobles. But if feudalism proved too weak to conquer the monarchy, it was strong enough to paralyze its action. Neither of the two forces could master the other, but each could weaken the other, and throughout the whole period of their conflict England lay a prey to disorder within and to insult from without.

82. The first sign of these troubles was seen when the death of Eadred in 955 handed over the realm to a child king, his nephew Eadwig. Eadwig was swayed by a woman of high lineage, Æthelgifu; and the quarrel between her and the older counselors of Eadred broke into open strife at the coronation feast. On the young king's insolent withdrawal to her

chamber, Dunstan, at the bidding of the witan, drew him roughly back to his seat. But the feast was no sooner ended than a sentence of outlawry drove the abbot over sea, while the triumph of Æthelgifu was crowned in 957 by the marriage of her daughter to the king and the spoliation of the monasteries which Dunstan had befriended. As the new queen was Eadwig's kinswoman, the religious opinion of the day regarded his marriage as incestuous, and it was followed by a revolution. At the opening of 958, Archbishop Odo parted the king from his wife by solemn sentence; while the Mercians and Northumbrians rose in revolt, proclaimed Eadwig's brother Eadgar their king, and recalled Dunstan. The death of Eadwig a few months later restored the unity of the realm; but his successor Eadgar was only a boy of fourteen, and throughout his reign the actual direction of affairs lay in the hands of Dunstan, whose elevation to the see of Canterbury set him at the head of the church as of the state. The noblest tribute to his rule lies in the silence of our chroniclers. His work indeed was a work of settlement, and such a work was done by the simple enforcement of peace. During the years of rest in which the stern hand of the primate enforced justice and order, Northman and Englishman drew together into a single people. Their union was the result of no direct policy of fusion; on the contrary, Dunstan's policy preserved to the conquered Danelagh its local rights and local usages. But he recognized the men of Danelagh as Englishmen, he employed Northmen in the royal service, and promoted them to high posts

in church and state. For the rest he trusted to time, and time justified his trust. The fusion was marked by a memorable change in the name of the land. Slowly as the conquering tribes had learned to know themselves by the one national name of Englishmen, they learned yet more slowly to stamp their name on the land they had won. It was not till Eadgar's day that the name of Britain passed into the name of Engla-land, the land of Englishmen, England. The same vigorous rule which secured rest for the country during these years of national union, told on the growth of material prosperity. Commerce sprang into a wider life. Its extension is seen in the complaint that men learned fierceness from the Saxon of Germany, effeminacy from the Fleming, and drunkenness from the Dane. The laws of Æthelred which provide for the protection and regulation of foreign trade only recognize a state of things which grew up under Eadgar. "Men of the Empire," traders of Lower Lorraine and the Rhineland, "Men of Rouen," traders from the new Norman duchy of the Seine, were seen in the streets of London. It was in Eadgar's day, indeed, that London rose to the commercial greatness it has held ever since.

83. Though Eadgar reigned for sixteen years, he was still in the prime of manhood when he died in 975. His death gave a fresh opening to the great nobles. He had bequeathed the crown to his elder son Eadward; but the Ealdorman of East Anglia Æthelwine, rose at once to set a younger child, Æthelred, on the throne. But the two primates of Canterbury and York, who had joined in setting the

crown on the head of Eadgar, now joined in setting it on the head of Eadward, and Dunstan remained as before, master of the realm. The boy's reign, however, was troubled by strife between the monastic party and their opponents, till in 979 the quarrel was cut short by his murder at Corfe, and with the accession of Æthelred the power of Dunstan made way for that of Ealdorman Æthelwine and the queen-mother. Some years of tranquility followed this victory; but though Æthelwine preserved order at home, he showed little sense of the danger which threatened from abroad. The north was girding itself for a fresh onset on England. The Scandinavian peoples had drawn together into their kingdoms of Denmark, Sweden, and Norway; and it was no longer in isolated bands but in national hosts that they were about to seek conquests in the south. As Æthelred drew to manhood, some chance descents on the coast told of this fresh stir in the north, and the usual result of the Northman's presence was seen in new risings among the Welsh.

84. In 991 Ealdorman Brihtnoth of East Anglia fell in battle with a Norwegian force at Maldon, and the withdrawal of the pirates had to be bought by money. Æthelwine, too, died at this moment, and the death of the two ealdormen left Æthelred free to act as king. But his aim was rather to save the crown from his nobles than England from the Northmen. Handsome and pleasant of address, the young king's pride showed itself in a string of imperial titles, and his restless and self-confident temper drove him to push the pretensions of the crown to their

furthest extent. His aim throughout his reign was to free himself from the dictation of the great nobles, and it was his indifference to their "rede" or counsel that won him the name of "Æthelred the Redeless." From the first he struck boldly at his foes, and Ælfgar, the Ealdorman of Mercia, whom the death of his rival Æthelwine left supreme in the realm, was driven by the king's hate to desert to a Danish force which he was sent in 992 to drive from the coast. Æthelred turned from his triumph at home to meet the forces of the Danish and Norwegian kings, Swegen and Olaf, which anchored off London in 994. His policy throughout was a policy of diplomacy rather than of arms, and a treaty of subsidy gave time for intrigues which parted the invaders till troubles at home drew both again to the north. Æthelred took quick advantage of his success at home and abroad; the place of the great ealdormen in the royal councils was taken by court-thegns, in whom we see the rudiments of a ministry, while the king's fleet attacked the pirates' haunts in the Cumberland and the Cotentin. But in spite of all this activity the news of a fresh invasion found England more weak and broken than ever. The rise of the "new men" only widened the breach between the court and the great nobles, and their resentment showed itself in delays which foiled every attempt of Æthelred to meet the pirate bands who still clung to the coast.

85. They came probably from the other side of the Channel, and it was to clear them away, as well as secure himself against Swegen's threatened descent,

that Æthelred took a step which brought England in contact with a land over-sea. Normandy, where the Northmen had settled a hundred years before, was now growing into a great power, and it was to win the friendship of Normandy and to close its harbors against Swegen that Æthelred in 1002 took the Norman duke's daughter, Emma, to wife. The same dread of invasion gave birth to a panic of treason from the northern mercenaries whom the king had drawn to settle in the land as a fighting force against their brethren; and an order of Æthelred brought about a general massacre of them on St. Brice's day. Wedding and murder, however, proved feeble defenses against Swegen. His fleet reached the coast in 1003, and for four years he marched through the length and breadth of southern and eastern England, "lighting his war-beacons as he went" in blazing homestead and town. Then for a heavy bribe he withdrew, to prepare for a later and more terrible onset. But there was no rest for the realm. The fiercest of the Norwegian jarls took his place, and from Wessex the war extended over Mercia and East Anglia. In 1012 Canterbury was taken and sacked, Ælfheah, the Archbishop, dragged to Greenwich, and there in default of ransom brutally slain. The Danes set him in the midst of their husting, pelting him with bones and skulls of oxen, till one more pitiful than the rest clove his head with an axe. Meanwhile the court was torn with intrigue and strife, with quarrels between the court-thegns in their greed of power, and yet fiercer quarrels between these favorites and the nobles whom they superseded in the royal councils

The king's policy of finding aid among his new ministers broke down when these became themselves ealdormen. With their local position they took up the feudal claims of independence; and Eadric, whom Æthelred raised to be Ealdorman of Mercia, became a power that overawed the crown. In this paralysis of the central authority all organization and union was lost. "Shire would not help other" when Swegen returned in 1013. The war was terrible but short. Everywhere the country was pitilessly harried, churches plundered, men slaughtered. But, with the one exception of London, there was no attempt at resistance. Oxford and Winchester flung open their gates. The thegns of Wessex submitted to the Northmen at Bath. Even London was forced at last to give way, and Æthelred fled over-sea to a refuge in Normandy.

86. He was soon called back again. In the opening of 1014 Swegen died suddenly at Gainsborough, and the spell of terror was broken. The witan recalled "their own born lord," and Æthelred returned to see the Danish fleet under Swegen's son, Cnut, sail away to the north. It was but to plan a more terrible return. Youth of nineteen as he was, Cnut showed from the first the vigor of his temper. Setting aside his brother he made himself King of Denmark; and at once gathered a splendid fleet for a fresh attack on England, whose king and nobles were again at strife, and where a bitter quarrel between Ealdorman Eadric of Mercia and Æthelred's son Eadmund Ironside broke the strength of the realm. The desertion of Eadric to Cnut as soon as he ap-

peared off the coast threw open England to his arms. Wessex and Mercia submitted to him; and though the loyalty of London enabled Eadmund, when his father's death raised him in 1016 to the throne, to struggle bravely for a few months against the Danes, a decisive overthrow at Assandun and a treaty of partition which this wrested from him at Olney were soon followed by the young king's death. Cnut was left master of the realm. His first acts of government showed little but the temper of the mere Northman, passionate, revengeful, uniting the guile of the savage with his thirst for blood. Eadric of Mercia, whose aid had given him the crown, was felled by an axe-blow at the king's signal; a murder removed Eadwig, the brother of Eadmund Ironside, while the children of Eadmund were hunted even into Hungary by his ruthless hate. But from a savage such as this the young conqueror rose abruptly into a wise and temperate king. His aim during twenty years seems to have been to obliterate from men's minds the foreign character of his rule and the bloodshed in which it had begun.

87. Conqueror indeed as he was, the Dane was no foreigner in the sense that the Norman was a foreigner after him. His language differed little from the English tongue. He brought in no new system of tenure or government. Cnut ruled in fact not as a foreign conqueror but as a native king. He dismissed his Danish host, and, retaining only a trained band of household troops or "hus-carles" to serve as a body-guard, relied boldly for support within his realm on the justice and good government he secured it. He

fell back on "Eadgar's Law," on the old constitution of the realm, for his rule of government; and owned no difference between Dane and Englishman among his subjects. He identified himself even with the patriotism which had withstood the stranger. The church had been the center of the national resistance; Archbishop Ælfheah had been slain by Danish hands. But Cnut sought the friendship of the church; he translated Ælfheah's body with great pomp to Canterbury; he atoned for his father's ravages by gifts to the religious houses; he protected English pilgrims even against the robber-lords of the Alps. His love for monks broke out in a song which he composed as he listened to their chant at Ely. "Merrily sang the monks of Ely when Cnut King rowed by" across the vast fen-waters that surrounded their abbey. "Row, boatmen, near the land, and hear we these monks sing." A letter which Cnut wrote after twelve years of rule to his English subjects marks the grandeur of his character and the noble conception he had formed of kingship. "I have vowed to God to lead a right life in all things," wrote the king, "to rule justly and piously my realms and subjects, and to administer just judgment to all. If heretofore I have done aught beyond what was just, through headiness or negligence of youth, I am ready, with God's help, to amend it utterly." No royal officer, either for fear of the king or for favor of any, is to consent to injustice, none is to do wrong to rich or poor "as they would value my friendship and their own well-being." He especially denounces unfair exactions: "I have no need that money be heaped together for

me by unjust demands." "I have sent this letter before me," Cnut ends, "that all the people of my realm may rejoice in my well-doing; for as you yourselves know, never have I spared, nor will I spare, to spend myself and my toil in what is needful and good for my people."

88. Cnut's greatest gift to his people was that of peace. With him began the long internal tranquility which was from this time to be the key-note of the national history. Without, the Dane was no longer a terror; on the contrary it was English ships and English soldiers who now appeared in the north and followed Cnut in his campaigns against Wend or Norwegian. Within, the exhaustion which follows a long anarchy gave fresh strength to the crown, and Cnut's own ruling temper was backed by the force of hus-carles at his disposal. The four Earls of Northumberland, Mercia, Wessex, and East-Anglia, whom he set in the place of the older ealdormen, knew themselves to be the creatures of his will; the ablest indeed of their number, Godwine, Earl of Wessex, was the minister or close counselor of the king. The troubles along the northern border were ended by a memorable act of policy. From Eadgar's day the Scots had pressed further and further across the Firth of Fort till a victory of their King Malcolm over Earl Eadwulf at Carham in 1018 made him master of Northern Northumbria. In 1031 Cnut advanced to the north, but the quarrel ended in a formal cession of the district between the Forth and the Tweed, Lothian as it was called, to the Scot King on his doing homage to Cnut. The gain told at once on

the character of the northern kingdom. The kings of the Scots had till now been rulers simply of Gaelic and Celtic peoples; but from the moment that Lothian, with its English farmers and English seamen, became a part of their dominions it became the most important part. The kings fixed their seat at Edinburgh, and in the midst of an English population passed from Gaelic chieftains into the Saxon rulers of a mingled people.

89. But the greatness of Cnut's rule hung solely on the greatness of his temper, and the Danish power was shaken by his death in 1035. The empire he had built up at once fell to pieces. He had bequeathed both England and Denmark to his son Harthacnut; but the boy's absence enabled his brother, Harold Harefoot, to acquire all England save Godwine's earldom of Wessex, and in the end even Godwine was forced to submit to him. Harold's death in 1040 averted a conflict between the brothers, and placed Harthacnut quietly on the throne. But the love which Cnut's justice had won turned to hatred before the lawlessness of his successors. The long peace sickened men of their bloodshed and violence. "Never was a bloodier deed done in the land since the Danes came," ran a popular song, when Harold's men seized Ælfred, a brother of Eadmund Ironside, who returned to England from Normandy, where he had found a refuge since his father's flight to its shores. Every tenth man among his followers was killed, the rest sold for slaves, and Ælfred's eyes torn out Ely. Harthacnut, more savage than his predecessor, dug up his brother's body and flung it into

a marsh; while a rising at Worcester against his huscarles was punished by the burning of the town and the pillage of the shire. The young king's death was no less brutal than his life; in 1042 "he died as he stood at his drink in the house of Osgood Clapa at Lambeth." England wearied of rulers such as these: but their crimes helped her to free herself from the impossible dream of Cnut. The north, still more barbarous than herself, could give her no new element of progress or civilization. It was the consciousness of this and a hatred of rulers such as Harold and Harthacnut which co-operated with the old feeling of reverence for the past in calling back the line of Ælfred to the throne.

90. It is in such transitional moments of a nation's history that it needs the cool prudence, the sensitive selfishness, the quick perception of what is possible, which distinguished the adroit politician whom the death of Cnut left supreme in England. Originally of obscure origin, Godwine's ability had raised him high in the royal favor; he was allied to Cnut by marriage, instrusted by him with the earldom of Wessex, and at last made the viceroy or justiciar of the king in the government of the realm. In the wars of Scandinavia he had shown courage and skill at the head of a body of English troops, but his true field of action lay at home. Shrewd, eloquent, an active administrator, Godwine united vigilance, industry, and caution with a singular dexterity in the management of men. During the troubled years that followed the death of Cnut he did his best to continue his master's policy in securing the internal

union of England under a Danish sovereign and in preserving her connection with North. But at the death of Harthacnut Cnut's policy had become impossible, and, abandoning the Danish cause, Godwine drifted with the tide of popular feeling which called Eadward, the one living son of Æthelred, to the throne. Eadward had lived from his youth in exile at the court of Normandy. A halo of tenderness spread in after-time round this last king of the old English stock; legends told of his pious simplicity, his blitheness and gentleness of mood, the holiness that gained him his name of "Confessor" and enshrined him as a saint in his abbey-church at Westminster. Gleemen sang in manlier tones of the long peace and glories of his reign, how warriors and wise conselors stood around his throne, and Welsh and Scot and Briton obeyed him. His was the one figure that stood out bright against the darkness when England lay trodden under foot by Norman conquerors; and so dear became his memory that liberty and independence itself seemed incarnate in his name. Instead of freedom, the subjects of William or Henry called for the "good laws of Eadward the Confessor." But it was as a mere shadow of the past that the exile really returned to the throne of Ælfred; there was something shadow-like in his thin form, his delicate complexion, his transparent womanly hands; and it is almost as a shadow that he glides over the political stage. The work of government was done by sterner hands.

91. Throughout his earlier reign, in fact, England lay in the hands of its three earls, Siward of Northum-

bria, Leofric of Mercia, and Godwine of Wessex, and it seemed as if the feudal tendency to provincial separation against which Æthelred had struggled was to triumph with the death of Cnut. What hindered this severance was the greed of Godwine. Siward was isolated in the north: Leofric's earldom was but a fragment of Mercia. But the Earl of Wessex, already master of the wealthiest part of England, seized district after district for his house. His son Swegen secured an earldom in the south-west; his son Harold became Earl of East-Anglia; his nephew Beorn was established in Central England: while the marriage of his daughter Eadgyth to the king himself give Godwine a hold upon the throne. Policy led the earl, as it led his son, rather to aim at winning England itself than at breaking up England to win a mere fief in it. But his aim found a sudden check through the lawlessness of his son Swegen. Swegen seduced the Abbess of Leominster, sent her home with a yet more outrageous demand of her hand in marriage, and on the king's refusal to grant it fled from the realm. Godwine's influence secured his pardon, but on his very return to seek it, Swegen murdered his cousin Beorn, who had opposed the reconciliation and again fled to Flanders. A storm of national indignation followed him over-sea. The meeting of the wise men branded him as "nithing," the "utterly worthless," yet in a year his father wrested a new pardon from the king and restored him to his earldom. The scandalous inlawing of such a criminal left Godwine alone in a struggle which soon arose with Eadward himself. The king

was a stranger in his realm, and his sympathies lay naturally with the home and friends of his youth and exile. He spoke the Norman tongue. He used in Norman fashion a seal for his charters. He set Norman favorites in the highest posts of church and state. Foreigners such as these, though hostile to the minister, were powerless against Godwine's influence and ability, and when at a later time they ventured to stand alone against him they fell without a blow. But the general ill-will at Swegen's inlawing enable them to stir Eadwine to attack the earl, and in 1051 a trivial quarrel brought the opportunity of a decisive break with him. On his return from a visit to the court, Eustace, Count of Boulogne, the husband of the king's sister, demanded quarters for his train in Dover. Strife arose, and many both of the burghers and foreigners were slain. All Godwine's better nature withstood Eadward when the king angrily bade him exact vengeance from the town for the affront of his kinsmen; and he claimed a fair trial for the townsmen. But Eadward looked on his refusal as an outrage, and the quarrel widened into open strife. Godwine at once gathered his forces and marched upon Gloucester, demanding the expulsion of the foreign favorites. But even in a just quarrel the country was cold in his support. The Earls of Mercia and Northumberland united their forces to those of Eadward at Gloucester, and marched with the king to a gathering of the witenagemote at London. Godwine again appeared in arms, but Swegen's outlawry was renewed, and the Earl of Wessex, declining with his usual pru-

dence a useless struggle, withdrew over-sea to Flanders.

92. But the wrath of the nation was appeased by his fall. Great as were Godwine's faults, he was the one man who now stood between England and the rule of the strangers who flocked to the court; and a year had hardly passed when he was strong enough to return. At the appearance of his fleet in the Thames in 1052 Eadward was once more forced to yield. The foreign prelates and bishops fled over-sea, outlawed by the same meeting of the wise men which restored Godwine to his home. But he returned only to die, and the direction of affairs passed quietly to his son Harold. Harold came to power unfettered by the obstacles which beset his father, and for twelve years he was the actual governor of the realm. The courage, the ability, the genius for administration, the ambition and subtlety of Godwine were found again in his son. In the internal government of England he followed out his father's policy while avoiding its excesses. Peace was preserved, justice administered, and the realm increased in wealth and prosperity. Its gold work and embroidery became famous in the markets of Flanders and France. Disturbances from without were crushed sternly and rapidly; Harold's military talents displayed themselves in a campaign against Wales, and in the boldness and rapidity with which, arming his troops with weapons adapted for mountain conflict, he penetrated to the heart of its fastnesses and reduced the country to complete submission. With the gift of the Northumbrian earldom on Siward's

death to his brother Tostig, all England, save a small part of the older Mercia, lay in the hands of the house of Godwine; and as the waning health of the king, the death of his nephew, the son of Eadmund, who had returned from Hungary as his heir, and the childhood of the Ætheling Eadgar, who stood next in blood, removed obstacle after obstacle to his plans, Harold patiently but steadily moved forward to the throne.

93. But his advance was watched by one even more able and ambitious than himself. For the last half century England had been drawing nearer to the Norman land which fronted it across the channel. As we pass nowadays through Normandy, it is English history which is round about us. The name of hamlet after hamlet has memories for English ears; a fragment of castle wall marks the home of the Bruce, a tiny village preserves the name of the Percy. The very look of the country and its people seem familiar to us; the Norman peasant in his cap and blouse recalls the build and features of the small English farmer; the fields about Caen, with their dense hedgerows, their elms, their apple-orchards, are the very picture of an English country-side. Huge cathedrals lift themselves over the red-tiled roofs of little market towns, the models of stately fabrics which superseded the lowlier churches of Ælfred or Dunstan, while the windy heights that look over orchard and meadowland are crowned with the square gray keeps which Normandy gave to the cliffs of Richmond and the banks of Thames It was Rolf the Ganger, or Walker, a pirate leader

like Guthrum or Hasting, who wrested this land from the French king, Charles the Simple, in 912, at the moment when Ælfred's children were beginning their conquest of the English Danelagh. The treaty of Clair-on-Epte in which France purchased peace by this cession of the coast was a close imitation of the Peace of Wedmore. Rolf, like Guthrum, was baptised, received the king's daughter in marriage, and became his vassal for the territory which now took the name of "Northman's land" or Normandy. But vassalage and the new faith sat lightly on the Dane. No such ties of blood and speech tended to unite the Northman with the French among whom he settled along the Humber. William Longsword, the son of Rolf, though wavering toward France and Christianity, remained a Northman in heart; he called in a Danish colony to occupy his conquest of the Cotentin, the peninsula which runs out from St. Michael's Mount to the cliffs of Cherbourg, and reared his boy among the Northmen of Bayeux, where the Danish tongue and fashions most stubbornly held their own. A heathen reaction followed his death, and the bulk of the Normans, with the child duke, Richard, fell away for the time from Christianity, while new pirate-fleets came swarming up the Seine. To the close of the century the whole people were still "pirates" to the French around them, their land the "pirates' land," their duke the "pirates' duke." Yet in the end the same forces which merged the Dane in the Englishman told even more powerfully on the Dane in France. No race has ever shown a greater power of absorbing all the

nobler characteristics of the people with whom they came in contact, or of infusing their own energy into them. During the long reign of Duke Richard the Fearless, the son of William Longsword, a reign which lasted from 945 to 996, the heathen Northmen pirates became French Christians and feudal at heart. The old Norse language lived only at Bayeux and in a few local names. As the old Northern freedom died silently away, the descendants of the pirates became feudal nobles and the "pirates' land" sank into the most loyal of the fiefs of France.

94. From the moment of their settlement on the Frankish coast, the Normans had been jealously watched by the English kings; and the anxiety of Æthelred for their friendship set a Norman woman on the English throne. The marriage of Emma with Æthelred brought about a close political connection between the two countries. It was in Normandy that the king found a refuge from Swegen's invasion, and his younger boys grew up in exile at the Norman court. Their presence there drew the eyes of every Norman to the rich land which offered so tempting a prey across the channel. The energy which they had shown in winning their land from the Franks, in absorbing the French civilization and the French religion, was now showing itself in adventures on far-off shores, in crusades against the Moslem of Spain or the Arabs of Sicily. It was this spirit of adventure that roused the Norman Duke Robert to sail against England in Cnut's day under pretext of setting Æthelred's children on its throne, but the wreck of his fleet in a storm put an end to a project

which might have anticipated the work of his son. It was that son, William the Great, as men of his own day styled him, William the Conqueror as he was to stamp himself by one event on English history, who was now Duke of Normandy. The full grandeur of his indomitable will, his large and patient statesmanship, the loftiness of aim which lifts him out of the petty incidents of his age, were as yet only partly disclosed. But there never had been a moment from his boyhood when he was not among the greatest of men. His life from the very first was one long mastering of difficulty after difficulty. The shame of his birth remained in his name of "the Bastard." His father Robert had seen Arlotta, a tanner's daughter of the town, as she washed her linen in a little brook by Falaise; and loving her he had made her the mother of his boy. The departure of Robert on a pilgrimage from which he never returned left William a child-ruler among the most turbulent baronage in Christendom; treason and anarchy surrounded him as he grew to manhood; and disorder broke at last into open revolt. But in 1047 a fierce combat of horse on the slopes of Val-ès-dunes beside Caen left the young Duke master of his duchy and he soon made his mastery felt. "Normans," said a Norman poet, "must be trodden down and kept under foot, for he only that bridles them may use them at his need." In the stern order he forced on the land Normandy from this hour felt the bridle of its duke.

95. Secure at home, William seized the moment of Godwine's exile to visit England, and received from

his cousin, King Edward, as he afterward asserted, a promise of succession to his throne. Such a promise however, unconfirmed by the witenagemote, was valueless; and the return of Godwine must have at once cut short the young duke's hopes. He found in fact work enough to do in his own duchy, for the discontent of his baronage at the stern justice of his rule found support in the jealousy which his power raised in the states around him, and it was only after two great victories at Mortemer and Varaville and six years of hard fighting that outer and inner foes were alike trodden under foot. In 1060 William stood first among the princes of France. Maine submitted to his rule. Brittany was reduced to obedience by a single march. While some of the rebel barons rotted in the duke's dungeons and some were driven into exile, the land settled down into a peace which gave room for a quick upgrowth of wealth and culture. Learning and education found their center in the school of Bec, which the teaching of a Lombard scholar, Lanfranc, raised in a few years into the most famous school of Christendom. Lanfranc's first contact with William, if it showed the duke's imperious temper, showed too his marvelous insight into men. In a strife with the papacy which William provoked by his marriage with Matilda, a daughter of the Count of Flanders, Lanfranc took the side of Rome. His opposition was met by a sentence of banishment, and the prior had hardly set out on a lame horse, the only one his house could afford, when he was overtaken by the Duke, impatient that he should quit Normandy. "Give me a

better horse and I shall go the quicker," replied the imperturbable Lombard, and William's wrath passed into laughter and good will. From that hour Lanfranc became his minister and counselor, whether for affairs in the duchy itself or for the more daring schemes of ambition which opened up across the channel.

96. William's hopes of the English crown are said to have been revived by the storm which threw Harold, while cruising in the channel, on the coast of Ponthieu. Its count sold him to the duke; and as the price of return to England William forced him to swear on the relics of saints to support his claim to its throne. But, true or no, the oath told little on Harold's course. As the childless king drew to his grave, one obstacle after another was cleared from the earl's path. His brother Tostig had become his most dangerous rival; but a revolt of the Northumbrians drove Tostig to Flanders, and the earl was able to win over the Mercian house of Leofric to his cause by owning Morkere, the brother of the Mercian Earl Eadwine, as his brother's successor. His aim was in fact attained without a struggle. In the opening of 1066 the nobles and bishops who gathered round the death-bed of the Confessor passed quietly from it to the election and coronation of Harold. But at Rouen the news was welcomed with a burst of furious passion, and the Duke of Normandy at once prepared to enforce his claim by arms. William did not claim the crown. He claimed simply the right, which he afterward used when his sword had won it, of presenting himself

for election by the nation, and he believed himself entitled so to present himself by the direct commendation of the Confessor. The actual election of Harold which stood in his way, hurried as it was, he did not recognize as valid. But with this constitutional claim was inextricably mingled resentment at the private wrong which Harold had done him, and a resolve to exact vengeance on the man whom he regarded as untrue to his oath. The difficulties in the way of his enterprise were indeed enormous. He could reckon on no support within England itself. At home he had to extort the consent of his own reluctant baronage; to gather a motley host from every quarter of France and to keep it together for months; to create a fleet, to cut down the very trees, to build, to launch, to man the vessels; and to find time amid all this for the common business of government, for negotiations with Denmark and the empire, with France, Brittany, and Anjou, with Flanders and with Rome, which had been estranged from England by Archbishop Stigand's acceptance of his pallium from one who was not owned as a canonical pope.

97. But his rival's difficulties were hardly less than his own. Harold was threatened with invasion not only by William but by his brother Tostig, who had taken refuge in Norway and secured the aid of its king, Harald Hardrada. The fleet and army he had gathered lay watchful for months along the coast. His one standing force was his body of hus-carles, but their numbers only enabled them to act as the nucleus of an army. On the other hand,

the Land-fyrd or general levy of fighting-men was a body easy to raise for any single encounter but hard to keep together. To assemble such a force was to bring labor to a standstill. The men gathered under the king's standard were the farmers and plowmen of their fields. The ships were the fishing-vessels of the coast. In September the task of holding them together became impossible, but their dispersion had hardly taken place when the two clouds which had so long been gathering burst at once upon the realm. A change of wind released the land-locked armament of William; but before changing, the wind which had prisoned the duke brought the host of Tostig and Harald Hardrada to the coast of Yorkshire. The king hastened with his household troops to the north and repulsed the Norwegians in a decisive overthrow at Stamford Bridge, but ere he could hurry back to London the Norman host had crossed the sea and William, who had anchored on the 28th of Sept. off Pevensey, was ravaging the coast to bring his rival to an engagement. His merciless ravages succeeded in drawing Harold from London to the south; but the king wisely refused to attack with the troops he had hastily summoned to his banner. If he was forced to give battle, he resolved to give it on ground he had himself chosen, and advancing near enough to the coast to check William's ravages, he intrenched himself on a hill known afterward as that of Senlac, a low spur of the Sussex downs near Hastings. His position covered London and drove William to concentrate his forces. With a host subsisting by pillage, to con-

centrate is to starve; and no alternative was left to the duke but a decisive victory or ruin.

98. On the 14th of Oct. William led his men at dawn along the higher ground that leads from Hastings to the battle-field which Harold had chosen. From the mound of Telham the Normans saw the host of the English gathered thickly behind a rough trench and a stockade on the height of Senlac. Marshy ground covered their right; on the left, the most exposed part of the position, the hus-carles or body-guard of Harold, men in full armor and wielding huge axes, were grouped round the golden dragon of Wessex and the standard of the king. The rest of the ground was covered by thick masses of half-armed rustics who had flocked at Harold's summons to the fight with the stranger. It was against the center of this formidable position that William arrayed his Norman knighthood, while the mercenary forces he had gathered in France and Brittany were ordered to attack its flanks. A general charge of the Norman foot opened the battle; in front rode the minstrel Taillefer, tossing his sword in the air and catching it again while he chanted the song of Roland. He was the first of the host who struck a blow, and he was the first to fall. The charge broke vainly on the stout blockade behind which the English warriors plied axe and javelin with the fierce cries of "Out, out," and the repulse of the Norman footmen was followed by a repulse of the Norman horse. Again and again the duke rallied and led them to the fatal stockade. All the fury of fight that glowed in his Norseman's blood,

all the headlong valor that spurred him over the slopes of Val-ès-dunes, mingled that day with the coolness of head, the dogged perseverance, the inexhaustible faculty of resource which shone at Mortemer and Varaville. His Breton troops, entangled in the marshy ground on his left, broke in disorder, and as panic spread through the army a cry arose that the duke was slain. William tore off his helmet; "I live," he shouted, "and by God's help I will conquer yet." Maddened by a fresh repulse, the duke spurred right at the standard; unhorsed, his terrible mace struck down Gyrth, the king's brother; again dismounted, a blow form his hand hurled to the ground an unmannerly rider who would not lend him his steed. Amid the roar and tumult of the battle he turned the flight he had arrested into the means of victory. Broken as the stockade was by his desperate onset, the shield-wall of the warriors behind it still held the Normans at bay, till William by a feint of flight drew a part of the English force from their post of vantage. Turning on his disorderly pursuers, the duke cut them to pieces, broke through the abandoned line, and made himself master of the central ground. Meanwhile the French and Bretons made good their ascent on either flank. At three the hill seemed won, and at six the fight still raged around the standard where Harold's hus-carles stood stubbornly at bay on a spot marked afterward by the high altar of Battle Abbey. An order from the duke at last brought his archers to the front. Their arrow-flight told heavily on the dense masses crowded around the king, and

as the sun went down a shaft pierced Harold's right eye. He fell between the royal ensigns, and the battle closed with a desperate mêlée over his corpse.

99. Night covered the flight of the English army; but William was quick to reap the advantage of his victory. Securing Romney and Dover, he marched by Canterbury upon London. Faction and intrigue were doing his work for him as he advanced; for Harold's brothers had fallen with the king on the field of Senlac, and there was none of the house of Godwine to contest the crown. Of the old royal line there remained but a single boy, Eadgar the Ætheling. He was chosen king; but the choice gave little strength to the national cause. The widow of the Confessor surrendered Winchester to the duke. The bishops gathered at London inclined to submission. The citizens themselves faltered as William, passing by their walls, gave Southwark to the flames. The throne of the boy-king really rested for support on the Earls of Mercia and Northumbria, Eadwine and Morkere; and William, crossing the Thames at Wallingford and marching into Hertfordshire, threatened to cut them off from their earldoms. The masterly movement forced the earls to hurry home, and London gave way at once. Eadgar himself was at the head of the deputation who came to offer the crown to the Norman duke. "They bowed to him," says the English annalist, pathetically, "for need." They bowed to the Norman as they had bowed to the Dane, and William accepted the crown in the spirit of Cnut. London, indeed, was secured by the erection of a fortress which after-

wards grew into the Tower, but William desired to reign not as a conqueror but as a lawful king. At Christmas he received the crown at Westminster from the hands of Archbishop Ealdred amid shouts of "Yea, Yea," from his new English subjects. Fines from the greater landowners atoned for a resistance which now counted as rebellion; but with this exception every measure of the new sovereign showed his desire of ruling as a successor of Eadward or Ælfred. As yet, indeed, the greater part of England remained quietly aloof from him, and he can hardly be said to have been recognized as king by Northumberland or the greater part of Mercia. But to the east of a line which stretched from Norwich to Dorsetshire his rule was unquestioned, and over this portion he ruled as an English king. His soldiers were kept in strict order. No change was made in law or custom. The privileges of London were recognized by a royal writ which still remains, the most venerable of its muniments, among the city's archives. Peace and order were restored. William even attempted, though in vain, to learn the English tongue that he might personally administer justice to the suitors in his court. The kingdom seemed so tranquil that only a few months had passed after the battle of Senlac when, leaving England in charge of his brother, Odo Bishop of Bayeux, and his minister, William Fitz-Osbern, the king returned in 1067 for a while to Normandy. The peace he left was soon, indeed, disturbed. Bishop Odo's tyranny forced the Kentishmen to seek aid from Count Eustace of Boulogne; while the Welsh princes supported

a similar rising against Norman oppression in the west. But as yet the bulk of the land held fairly to the new king. Dover was saved from Eustace; and the discontented fled over sea to seek refuge in lands as far off as Constantinople, where Englishmen from this time formed great part of the body-guard or Varangians of the eastern emperors. William returned to take his place again as an English king. It was with an English force that he subdued a rising in the south-west with Exeter at its head, and it was at the head of an English army that he completed his work by marching to the north. His march brought Eadwine and Morkere again to submission; a fresh rising ended in the occupation of York, and England as far as the Tees lay quietly at William's feet.

100. It was, in fact, only the national revolt of 1068 that transformed the king into a conqueror. The signal for this revolt came from Swegen, King of Denmark, who had for two years past been preparing to dispute England with the Norman, but on the appearance of his fleet in the Humber all northern, all western and south-western England rose as one man. Eadgar the Ætheling, with a band of exiles who had found refuge in Scotland, took the head of the Northumbrian revolt; in the south-west the men of Devon, Somerset, and Dorset gathered to the sieges of Exeter and Montacute; while a new Norman castle at Shrewsbury alone bridled a rising in the west. So ably had the revolt been planned that even William was taken by surprise. The outbreak was heralded by a storm of York and the

slaughter of 3,000 Normans who formed its garrison. The news of this slaughter reached William as he was hunting in the forest of Dean; and in a wild outburst of wrath he swore "By the splendor of God" to avenge himself on the north. But wrath went hand in hand with the coolest statesmanship. The center of resistance lay in the Danish fleet, and, pushing rapidly to the Humber with a handful of horsemen, William bought at a heavy price its inactivity and withdrawal. Then turning westward with the troops that gathered round him he swept the Welsh border and relieved Shrewsbury, while William Fitz-Osbern broke the rising around Exeter. His success set the king free to fulfill his oath of vengeance on the north. After a long delay before the flooded waters of the Aire he entered York and ravaged the whole country as far as the Tees. Town and village were harried and burned, their inhabitants were slain or driven over the Scottish border. The coast was especially wasted that no hold might remain for future landings of the Danes. Crops, cattle, the very implements of husbandry, were so mercilessly destroyed that a famine which followed is said to have swept off more than a hundred thousand victims. Half a century later, indeed, the land still lay bare of culture and deserted of men for sixty miles northward of York. The work of vengeance once over, William led his army back from the Tees to York, and thence to Chester and the west. Never had he shown the grandeur of his character so memorably as in this terrible march. The winter was hard, the roads choked with snowdrifts or broken by

torrents; provisions failed, and his army, storm-beaten and forced to devour its horses for food, broke out into mutiny at the order to cross the bleak moorlands that part Yorkshire from the west. The mercenaries from Anjou and Brittany demanded their release from service. William granted their prayer with scorn. On foot, at the head of the troops which still clung to him, he forced his way by paths inaccessible to horses, often helping the men with his own hands to clear the road, and as the army descended upon Chester the resistance of the English died away.

101. For two years William was able to busy himself in castle-building and in measures for holding down the conquered land. How effective these were was seen when the last act of the conquest was reached. All hope of Danish aid was now gone, but Englishmen still looked for help to Scotland, where Eadgar the Ætheling had again found refuge, and where his sister Margaret had become wife of King Malcolm. It was probably some assurance of Malcolm's aid which roused the Mercian earls, Eadwine and Morkere, to a fresh rising in 1071. But the revolt was at once foiled by the vigilance of the conqueror. Eadwine fell in an obscure skirmish, while Morkere found shelter for a while in the fen-country, where a desperate band of patriots gathered round an outlawed leader, Hereward. Nowhere had William found so stubborn a resistance; but a causeway two miles long was at last driven across the marshes, and the last hopes of English freedom died in the sur-

render of Ely. It was as the unquestioned master of England that William marched to the north, crossed the Lowlands and the Forth, and saw Malcolm appear in his camp upon the Tay to swear fealty at his feet.

BOOK II.

ENGLAND UNDER FOREIGN KINGS.

1071-1214.

AUTHORITIES FOR BOOK II.

102. Among the Norman chroniclers Orderic becomes from this point particularly valuable and detailed. The Chronicle and Florence of Worcester remain the primary English authorities, while Simeon of Durham gives much special information on northern matters. For the reign of William the Red the chief source of information is Eadmer, a monk of Canterbury, in his "Historia Novorum" and "Life of Anselm." William of Malmesbury and Henry of Huntingdon are both contemporary authorities during that of Henry the First; the latter remains a brief but accurate annalist; the former is the leader of a new historic school, who treat English events as part of the history of the world and emulate classic models by a more philosophical arrangement of their materials. To these the opening of Stephen's reign adds the "Gesta Stephani," a record in great detail by one of the king's clerks, and the Hexham Chroniclers.

103. All this wealth of historical material, however, suddenly leaves us in the chaos of civil war. Even the Chronicle dies out in the midst of Stephen's reign, and the close at the same time of the works

we have noted leaves a blank in our historical literature which extends over the early years of Henry the Second. But this death is followed by a vast outburst of historical industry. For the Beket struggle we have the mass of the archbishop's own correspondence with that of Foliot and John of Salisbury. From 1169 to 1192 our primary authority is the Chronicle known as that of Benedict of Peterborough, whose authorship Professor Stubbs has shown to be more probably due to the royal treasurer, Bishop Richard Fitz-Neal. This is continued to 1201 by Roger of Howden in a record of equally official value. William of Newborough's history, which ends in 1198, is a work of the classical school, like William of Malmesbury's. It is distinguished by its fairness and good sense. To these may be added the Chronicle of Ralph Niger, with the additions of Ralph of Coggeshall, that of Gervais of Canterbury, and the interesting life of St. Hugh of Lincoln.

104. But the intellectual energy of Henry the Second's time is shown even more remarkably in the mass of general literature which lies behind these distinctively historical sources, in the treatises of John of Salisbury, the voluminous works of Giraldus Cambrensis, the "Trifles" and satires of Walter Map, Glanvill's treatise on Law, Richard Fitz-Neal's "Dialogue on the Exchequer," to which we owe our knowledge of Henry's financial system, the romances of Gaimer and of Wace, the poem of the San Graal. But this intellectual fertility is far from ceasing with Henry the Second. The thirteenth

century has hardly begun when the romantic impulse quickens even the old English tongue in the long poem of Layamon. The Chronicle of Richard of Devizes and an "Itinerarium Regis" supplement Roger of Howden for Richard's reign. With John we enter upon the Annals of Barnwell and are aided by the invaluable series of the Chronicles of St. Albans. Among the topics of the time, we may find much information as to the Jews in Toovey's "Anglia Judaica;" the Chronicle of Jocelyn of Brakelond gives us a peep into social and monastic life; the Cistercian revival may be traced in the records of the Cistercian abbeys in Dugdale's Monasticon; the Charter Rolls give some information as to municipal history, and constitutional development may be traced in the documents collected by Professor Stubbs in his "Select Charters."

CHAPTER I.

THE CONQUEROR.

1071–1085.

105. In the 500 years that followed the landing of Hengest Britain had become England, and its conquest had ended in the settlement of its conquerors, in their conversion to Christianity, in the birth of a national literature, of an imperfect civilization, of a rough political order. But through the whole of this earlier age every attempt to fuse the various tribes of conquerors into a single nation had failed. The effort of Northumbria to extend her rule over

all England had been foiled by the resistance of Mercia; that of Mercia by the resistance of Wessex. Wessex herself, even under the guidance of great kings and statesmen, had no sooner reduced the country to a seeming unity than local independence rose again at the call of the Northmen. The sense of a single England deepened with the pressure of the invaders; the monarchy of Ælfred and his house broadened into an English kingdom; but still jealousies grappled with national unity. Northumbrian lay apart from West-Saxon, Northmen from Englishmen. A common national sympathy held the country roughly together, but a real national union had yet to come. It came with foreign rule. The rule of the Danish kings broke local jealousies as they had never been broken before, and bequeathed a new England to Godwine and the confessor. But Cnut was more Englishman than Northman, and his system of government was an English system. The true foreign yoke was only felt when England saw its conqueror in William the Norman.

106. For nearly a century and a half, from the hour when William turned triumphant from the fens of Ely to the hour when John fled defeated from Norman shores, our story is one of foreign masters. Kings from Normandy were followed by kings from Anjou. But whether under Norman or Angevin Englishmen were a subject race, conquered and ruled by men of strange blood and of strange speech. And yet it was in these years of subjection that England first became really England. Provincial differences were finally crushed into national unity by

the pressure of the stranger. The firm government of her foreign kings secured the land a long and almost unbroken peace in which the new nation grew to a sense of its oneness, and this consciousness was strengthened by the political ability which in Henry the First gave it administrative order, and in Henry the Second built up the fabric of its law. New elements of social life were developed alike by the suffering and the prosperity of the times. The wrong which had been done by the degradation of the free landowner into a feudal dependent was partially redressed by the degradation of the bulk of the English lords themselves into a middle class, as they were pushed from their place by the foreign baronage who settled on English soil; and this social change was accompanied by a gradual enrichment and elevation of the class of servile and semi-servile cultivators which had lifted them at the close of this period into almost complete freedom. The middle class which was thus created was reinforced by the up-growth of a corresponding class in our towns. Commerce and trade were promoted by the justice and policy of the foreign kings; and with their advance rose the political importance of the trader. The boroughs of England, which at the opening of this period were for the most part mere villages, were rich enough at its close to buy liberty from the crown and to stand ready for the mightier part they were to play in the development of our parliament. The shame of conquest, the oppression of the conquerors, begot a moral and religious revival which raised religion into a living thing; while the close

connection with the Continent which foreign conquest brought about secured for England a new communion with the artistic and intellectual life of the world without her.

107. In a word, it is to the stern discipline of our foreign kings that we owe not merely English wealth and English freedom, but England herself. And of these foreign masters the greatest was William of Normandy. In William the wild impulses of the Northman's blood mingled strangely with the cool temper of the modern statesman. As he was the last, so he was the most terrible, outcome of the northern race. The very spirit of the sea-robbers from whom he sprang seemed embodied in his gigantic form, his enormous strength, his desperate bravery, the fury of his wrath, the ruthlessness of his revenge. "No knight under heaven," his enemies owned, "was William's peer." Boy as he was at Val-ès-dunes, horse and man went down before his lance. All the fierce gayety of his nature broke out in the warfare of his youth, in his rout of fifteen Angevins with but five men at his back, in his defiant ride over the ground which Geoffry Martel claimed from him, a ride with hawk on fist as if war and the chase were one. No man could bend William's bow. His mace crashed its way through a ring of English warriors to the foot of the standard. He rose to his greatest height at moments when other men despaired. His voice rang out as a trumpet when his soldiers fled before the English charge at Senlac, and his rally turned the flight into a means of victory. In his winter

march on Chester he strode afoot at the head of his fainting troops and helped with his own hand to clear a road through the snowdrifts. And with the Northman's daring broke out the Northman's pitilessness. When the townsmen of Alençon hung raw hides along their walls in scorn of the "tanner's" grandson, William tore out his prisoners' eyes, hewed off their hands and feet, and flung them into the town. Hundreds of Hampshire men were driven from their homes to make him a hunting-ground, and his harrying of Northumbria left northern England a desolate waste. Of men's love or hate he recked little. His grim look, his pride, his silence, his wild outbursts of passion, left William lonely even in his court. His subjects trembled as he passed. "Stark man he was," writes the English chronicler, "and great awe men had of him." His very wrath was solitary. "To no man spake he and no man dared speak to him" when the news reached him of Harold's seizure of the throne. It was only when he passed from his palace to the loneliness of the woods that the king's temper unbent. "He loved the wild deer as though he had been their father."

108. It was the genius of William which lifted him out of this mere Northman into a great general and a great statesman. The wary strategy of his French campaigns, the organization of his attack upon England, the victory at Senlac, the quick resource, the steady perseverance which achieved the conquest showed the wide range of his generalship. His political ability had shown itself from

the first moment of his accession to the ducal throne. William had the instinct of government. He had hardly reached manhood when Normandy lay peaceful at his feet. Revolt was crushed. Disorder was trampled under foot. The duke "could never love a robber," be he baron or knave. The sternness of his temper stamped itself throughout upon his rule. "Stark he was to men that withstood him," says the chronicler of his English system of government; "so harsh and cruel was he that none dared withstand his will. Earls that did aught against his bidding he cast into bonds; bishops he stripped of their bishoprics, abbots of their abbacies. He spared not his own brother: first he was in the land, but the king cast him into bondage. If a man would live and hold his lands, need it were he followed the king's will." Stern as such a rule was, its sternness gave rest to the land. Even amid the sufferings which necessarily sprang from the circumstances of the conquest itself, from the erection of castles or the inclosure of forests or the exactions which built up William's hoard at Winchester, Englishmen were unable to forget "the good peace he made in the land, so that a man might fare over his realm with a bosom full of gold." Strange touches, too, of a humanity far in advance of his age contrasted with this general temper of the Conqueror's government. One of the strongest traits in his character was an aversion to shed blood by process of law; he formally abolished the punishment of death, and only a single execution stains the annals of his reign. An edict yet more honorable to his humanity put an end

to the slave-trade which had till then been carried on at the port of Bristol. The contrast between the ruthlessness and pitifulness of his public acts sprang, indeed, from a contrast within his temper itself. The pitiless warrior, the stern and awful king was a tender and faithful husband, an affectionate father. The lonely silence of his bearing broke into gracious converse with pure and sacred souls like Anselm. If William was "stark" to rebel and baron, men noted that he was "mild to those that loved God."

109. But the greatness of the Conqueror was seen in more than the order and peace which he imposed upon the land. Fortune had given him one of the greatest opportunities ever offered to a king of stamping his own genius on the destinies of a people; and it is the way in which he seized on this opportunity which has set William among the foremost statesmen of the world. The struggle which ended in the fens of Ely had wholly changed his position. He no longer held the land merely as its natural and elected king To his elective right he added the right of conquest. It is the way in which William grasped and employed this double power that marks the originality of his political genius, for the system of government which he devised was in fact the result of this double origin of his rule. It represented neither the purely feudal system of the Continent nor the system of the older English royalty; more truly perhaps it may be said to have represented both. As the conqueror of England William developed the military organization of feudalism so far as was necessary for the secure

possession of his conquests. The ground was already prepared for such an organization. We have watched the beginnings of English feudalism in the warriors, the "companions" or "thegns" who were personally attached to the king's war-band and received estates from the folk-land in reward for their personal services. In later times this feudal distribution of estates had greatly increased as the bulk of the nobles followed the king's example and bound their tenants to themselves by a similar process of subinfeudation. The pure freeholders on the other hand, the class which formed the basis of the original English society, had been gradually reduced in number, partly through imitation of the class above them, but more through the pressure of the Danish wars and the social disturbance consequent upon them which forced these freemen to seek protectors among the thegns at the cost of their independence. Even before the reign of William, therefore, feudalism was superseding the older freedom in England, as it had already superseded it in Germany and France. But the tendency was quickened and intensified by the conquest. The desperate and universal resistance of the country forced William to hold by the sword what the sword had won; and an army strong enough to crush at any moment a national revolt was needful for the preservation of his throne. Such an army could only be maintained by a vast confiscation of the soil, and the failure of the English risings cleared the ground for its establishment. The greater part of the higher nobility fell in battle or fled into exile, while the lower thegn-

hood either forfeited the whole of their lands or redeemed a portion by the surrender of the rest. We see the completeness of the confiscation in the vast estates which William was enabled to grant to his more powerful followers. Two hundred manors in Kent with more than an equal number elsewhere rewarded the services of his brother Odo, and grants almost as large fell to William's counselors, Fitz-Osbern and Montgomery, or to barons like the Mowbrays and the Clares. But the poorest soldier of fortune found his part in the spoil. The meanest Norman rose to wealth and power in this new dominion of his lord. Great or small, each manor thus granted was granted on condition of its holder's service at the king's call; a whole army was by this means encamped upon the soil; and William's summons could at any hour gather an overwhelming force around his standard.

110. Such a force, however, effective as it was against the conquered English, was hardly less formidable to the crown itself. When once it was established, William found himself fronted in his new realm by a feudal baronage, by the men whom he had so hardly bent to his will in Normandy, and who were as impatient of law, as jealous of the royal power, as eager for an unbridled military and judicial independence within their own manors, here as there. The political genius of the Conqueror was shown in his appreciation of this danger and in the skill with which he met it. Large as the estates he granted were, they were scattered over the country in such a way as to render union between the great

landowners or the hereditary attachment of great areas of population to any one separate lord equally impossible. A yet wiser measure struck at the very root of feudalism. When the larger holdings were divided by their owners into smaller sub-tenancies, the under-tenants were bound by the same conditions of service to their lord as he to the crown. "Hear, my lord," swore the vassal, as kneeling bareheaded and without arms, he placed his hands within those of his superior, "I become liege man of yours for life and limb and earthly regard; and I will keep faith and loyalty to you for life and death, God help me!" Then the kiss of his lord invested him with land as a "fief" to descend to him and his heirs forever. In other countries such a vassal owed fealty to his lord against all foes, be they king or no. By the usage, however, which William enacted in England, each sub-tenant, in addition to his oath of fealty to his lord, swore fealty directly to the crown, and loyalty to the king was thus established as the supreme and universal duty of all Englishmen.

111. But the Conqueror's skill was shown not so much in these inner checks upon feudalism as in the counterbalancing forces which he provided without it. He was not only the head of the great garrison that held England down, he was legal and elected king of the English people. If as conqueror he covered the country with a new military organization, as the successor of Edward he maintained the judicial and administrative organization of the old English realm. At the danger of a severance of the land between the greater nobles he struck a final

blow by the abolition of the four great earldoms. The shire became the largest unit of local government, and in each shire the royal nomination of sheriffs for its administration concentrated the whole executive power in the king's hands. The old legal constitution of the country gave him the whole judicial power, and William was jealous to retain and heighten this. While he preserved the local courts of the hundred and the shire, he strengthened the jurisdiction of the king's court, which seems even in the Confessor's day to have become more and more a court of highest appeal with a right to call up all cases from any lower jurisdiction to its bar. The control over the national revenue, which had rested even in the most troubled times in the hands of the king, was turned into a great financial power by the Conqueror's system. Over the whole face of the land a large part of the manors were burdened with special dues to the crown, and it was for the purpose of ascertaining and recording these that William sent into each county the commissioners whose inquiries are recorded in his "Doomsday Book." A jury impaneled in each hundred declared on oath the extent and nature of each estate, the names, number, and condition of its inhabitants, its value before and after the conquest, and the sums due from it to the crown. These, with the danegeld or land-tax levied since the days of Æthelred, formed as yet the main financial resources of the crown, and their exaction carried the royal authority in its most direct form home to every landowner. But to these were added a revenue

drawn from the old crown domain, now largely increased by the confiscation of the conquest, the ever growing income from the judicial "fines" imposed by the king's judges in the king's courts, and the fees and redemptions paid to the crown on the grant or renewal of every privilege or charter. A new source of revenue was found in the Jewish traders, many of whom followed William from Normandy, and who were glad to pay freely for the royal protection which enabled them to settle in their quarters or "Jewries" in all the principal towns of England.

112. William found a yet stronger check on his baronage in the organization of the Church. Its old dependence on the royal power was strictly enforced. Prelates were practically chosen by the king. Homage was exacted from bishop as from baron. No royal tenant could be excommunicated save by the king's leave. No synod could legislate without his previous assent and subsequent confirmation of its decrees. No papal letters could be received within the realm save by his permission. The king firmly repudiated the claims which were beginning to be put forward by the court of Rome. When Gregory VII. called on him to do fealty for his kingdom the king sternly refused to admit the claim. "Fealty I have never willed to do, nor will I do it now. I have never promised it, nor do I find that my predecessors did it to yours." William's reforms only tended to tighten this hold of the crown on the clergy. Stigand was deposed; and the elevation of Lanfranc to the see of Canterbury was followed by the removal of most of the English prelates and by

the appointment of Norman ecclesiastics in their place. The new archbishop did much to restore discipline, and William's own efforts were no doubt partly directed by a real desire for the religious improvement of his realm. But the foreign origin of the new prelates cut them off from the flocks they ruled and bound them firmly to the foreign throne; while their independent position was lessened by a change which seemed intended to preserve it. Ecclesiastical cases had till now been decided, like civil cases, in shire or hundred court, where the bishop sat side by side with ealdorman or sheriff. The change was pregnant with future trouble to the crown; but for the moment it told mainly in removing the bishop from his traditional contact with the popular assembly and in effacing the memory of the original equality of the religious with the civil power.

113. In any struggle with feudalism a national king, secure of the support of the Church, and backed by the royal hoard at Winchester, stood in different case from the merely feudal sovereigns of the continent. The difference of power was seen as soon as the conquest was fairly over and the struggle which William had anticipated opened between the baronage and the crown. The wisdom of his policy in the destruction of the great earldoms which had overshadowed the throne was shown in an attempt at their restoration made in 1075 by Roger, the son of his minister, William Fitz-Osbern, and by the Breton, Ralf de Guader, whom the king had rewarded for his services at Senlac with the earldom

of Norfolk. The rising was quickly suppressed, Roger thrown into prison, and Ralf driven over sea. The intrigues of the baronage soon found another leader in William's half-brother, the Bishop of Bayeux. Under pretence of aspiring by arms to the papacy, Bishop Odo collected money and men, but the treasure was at once seized by the royal officers and the bishop arrested in the midst of the court. Even at the king's bidding no officer would venture to seize on a prelate of the Church; and it was with his own hands that William was forced to effect his arrest. The Conqueror was as successful against foes from without as against foes from within. The fear of the Danes, which had so long hung like a thundercloud over England, passed away before the host which William gathered in 1085 to meet a great armament assembled by King Cnut. A mutiny dispersed the Danish fleet, and the murder of the king removed all peril from the north. Scotland, already humbled by William's invasion, was bridled by the erection of a strong fortress at Newcastle upon-Tyne; and after penetrating with his army to the heart of Wales the king commenced its systematic reduction by settling three of his great barons along its frontier. It was not till his closing years that William's unvarying success was troubled by a fresh outbreak of the Norman baronage under his son Robert and by an attack which he was forced to meet in 1087 from France. Its king mocked at the Conqueror's unwieldy bulk and at the sickness which bound him to his bed at Rouen. "King William has as long a lying-in," laughed Philip, "as a woman behind her

curtains." "When I get up," William swore grimly, "I will go to mass in Philip's land and bring a rich offering for my churching. I will offer a thousand candles for my fee. Flaming brands shall they be, and steel shall glitter over the fire they make." At harvest-time town and hamlet flaring into ashes along the French border fulfilled the ruthless vow. But as the king rode down the steep street of Mantes which he had given to the flames his horse stumbled among the embers, and William was flung heavily against his saddle. He was borne home to Rouen to die. The sound of the minster bell woke him at dawn as he lay in the convent of St. Gervais, overlooking the city—it was the hour of prime—and stretching out his hands in prayer the king passed quietly away. Death itself took its color from the savage solitude of his life. Priests and nobles fled as the last breath left him, and the Conqueror's body lay naked and lonely on the floor.

CHAPTER II.

THE NORMAN KINGS.

1085-1154.

114. With the death of the Conqueror passed the terror which had held the barons in awe, while the severance of his dominions roused their hopes of successful resistance to the stern rule beneath which they had bowed. William bequeathed Normandy to his eldest son Robert; but William the Red, his second son, hastened with his father's ring to Eng-

land, where the influence of Lanfranc secured him the crown. The baronage seized the opportunity to rise in arms under pretext of supporting the claims of Robert, whose weakness of character gave full scope for the growth of feudal independence; and Bishop Odo, now freed from prison, placed himself at the head of the revolt. The new king was thrown almost wholly on the loyalty of his English subjects. But the national stamp which William had given to his kingship told at once. The English rallied to the royal standard; Bishop Wulfstan of Worcester, the one surviving bishop of English blood, defeated the insurgents in the west; while the king, summoning the freemen of country and town to his host under pain of being branded as "nithing" or worthless, advanced with a large force against Rochester, where the barons were concentrated. A plague which broke out among the garrison forced them to capitulate, and as the prisoners passed through the royal army cries of "gallows and cord" burst from the English ranks. The failure of a later conspiracy whose aim was to set on the throne a kinsman of the royal house, Stephen of Albemarle, with the capture and imprisonment of its head, Robert Mowbray, the Earl of Northumberland, brought home at last to the baronage their helplessness in a strife with the king. The genius of the Conqueror had saved England from the danger of feudalism. But he had left as weighty a danger in the power which trod feudalism under foot. The power of the crown was a purely personal power, restrained under the Conqueror by his own high sense of duty, but capable of

becoming a pure despotism in the hands of his son. The nobles were at his feet, and the policy of his minister, Bishop Flambard of Durham, loaded their estates with feudal obligations. Each tenant was held as bound to appear, if needful, thrice a year at the royal court, to pay a heavy fine or rent on succession to his estate, to contribute aid in case of the king's capture in war or the knighthood of the king's eldest son or the marriage of his eldest daughter. An heir who was still a minor passed into the king's wardship, and all profit from his lands went during the period of wardship to the king. If the estate fell to an heiress, her hand was at the king's disposal and was generally sold by him to the highest bidder. These rights of "marriage" and "wardship" as well as the exaction of aids at the royal will poured wealth into the treasury, while they impoverished and fettered the baronage. A fresh source of revenue was found in the church. The same principles of feudal dependence were applied to its lands as to those of the nobles; and during the vacancy of a see or abbey its profits, like those of a minor, were swept into the royal hoard. William's profligacy and extravagance soon tempted him to abuse this resource, and so steadily did he refuse to appoint successors to prelates whom death removed that at the close of his reign one archbishopric, four bishoprics, and eleven abbeys were found to be without pastors.

115. Vile as was this system of extortion and misrule but a single voice was raised in protest against it. Lanfranc had been followed in his abbey

at Bec by the most famous of his scholars, Anselm of Aosta, an Italian like himself. Friends as they were, no two men could be more strangely unlike. Anselm had grown to manhood in the quiet solitude of his mountain valley, a tender-hearted poet-dreamer, with a soul pure as the Alpine snows above him, and an intelligence keen and clear as the mountain air. The whole temper of the man was painted in a dream of his youth. It seemed to him as though heaven lay, a stately palace, amid the gleaming hill-peaks, while the women reaping in the cornfields of the valley became harvest-maidens of its king. They reaped idly, and Anselm, grieved at their sloth, hastily climbed the mountain side to accuse them to their lord. As he reached the palace the king's voice called him to his feet and he poured forth his tale; then at the royal bidding bread of an unearthly whiteness was set before him, and he ate and was refreshed. The dream passed with the morning; but the sense of heaven's nearness to earth, the fervid loyalty to the service of his Lord, the tender restfulness and peace in the divine presence which it reflected, lived on in the life of Anselm. Wandering like other Italian scholars to Normandy, he became a monk under Lanfranc, and on his teacher's removal to higher duties succeeded him in the direction of the Abbey of Bec. No teacher has ever thrown a greater spirit of love into his toil. "Force your scholars to improve!" he burst out to another teacher who relied on blows and compulsion. "Did you ever see a craftsman fashion a fair image out of a golden plate by blows alone?

Does he not now gently press it and strike it with his tools, now with wise art yet more gently raise and shape it? What do your scholars turn into under this ceaseless beating?" "They turn only brutal," was the reply. "You have bad luck," was the keen answer, "in a training that only turns men into beasts." The worst natures softened before this tenderness and patience. Even the Conqueror, so harsh and terrible to others, became another man, gracious and easy of speech, with Anselm. But, amid his absorbing cares as a teacher, the Prior of Bec found time for philosophical speculations, to which we owe the scientific inquiries which built up the theology of the middle ages. His famous works were the first attempts of any Christian thinker to elicit the idea of God from the very nature of the human reason. His passion for abstruse thought robbed him of food and sleep. Sometimes he could hardly pray. Often the night was a long watch till he could seize his conception and write it on the wax tablets which lay beside him. But not even a fever of intense thought such as this could draw Anselm's heart from its passionate tenderness and love. Sick monks in the infirmary could relish no drink save the juice which his hand squeezed for them from the grape-bunch. In the later days of his archbishopric a hare chased by the hounds took refuge under his horse, and his gentle voice grew loud as he forbade a huntsman to stir in the chase while the creature darted off again to the woods. Even the greed of lands for the church to which so many religious men yielded found its characteristic rebuke

as the battling lawyers in such a suit saw Anselm quietly close his eyes in court and go peacefully to sleep.

116. A sudden impulse of the red king drew the abbot from these quiet studies into the storms of the world. The see of Canterbury had long been left without a primate when a dangerous illness frightened the king into the promotion of Anselm. The abbot, who happened at the time to be in England on the business of his house, was dragged to the royal couch and the cross forced into his hands. But William had no sooner recovered from his sickness than he found himself face to face with an opponent whose meek and loving temper rose into firmness and grandeur when it fronted the tyranny of the king. Much of the struggle between William and the archbishop turned on questions such as the right of investiture, which have little bearing on our history, but the particular question at issue was of less importance than the fact of a contest at all. The boldness of Anselm's attitude not only broke the tradition of ecclesiastical servitude, but infused through the nation at large a new spirit of independence. The real character of the strife appears in the primate's answer when his remonstrances against the lawless exactions from the church were met by a demand for a present on his own promotion, and his first offer of £500 was contemptuously refused. "Treat me as a free man," Anselm replied, "and I devote myself and all that I have to your service, but if you treat me as a slave you shall have neither me nor mine." A burst of the red king's fury drove

the archbishop from court, and he finally decided to quit the country, but his example had not been lost, and the close of William's reign found a new spirit of freedom in England with which the greatest of the Conqueror's sons was glad to make terms. His exile, however, left William without a check. Supreme at home, he was full of ambition abroad. As a soldier, the red king was little inferior to his father. Normandy had been pledged to him by his brother Robert in exchange for a sum which enabled the duke to march in the first Crusade for the delivery of the Holy Land, and a rebellion at Le Mans was subdued by the fierce energy with which William flung himself at the news of it into the first boat he found, and crossed the channel in face of a storm. "Kings never drown," he replied contemptuously to the remonstrances of his followers. Homage was again wrested from Malcolm by a march to the Firth of Forth, and the subsequent death of that king threw Scotland into a disorder which enabled an army under Eadgar Ætheling to establish Edgar, the son of Margaret, as an English feudatory on the throne. In Wales William was less triumphant, and the terrible losses inflicted on the heavy Norman cavalry in the fastnesses of Snowdon forced him to fall back on the slower but wiser policy of the Conqueror. But triumph and defeat alike ended in a strange and tragical close. In 1100 the red king was found dead by peasants in a glade of the new forest, with the arrow either of a hunter or an assassin in his breast.

117. Robert was at this moment on his return from

the Holy Land, where his bravery had redeemed much of his earlier ill-fame, and the English crown was seized by his younger brother Henry in spite of the opposition of the baronage, who clung to the Duke of Normandy and the union of their estates on both sides the channel under a single ruler. Their attitude threw Henry, as it had thrown Rufus, on the support of the English, and the two great measures which followed his coronation, his grant of a charter, and his marriage with Matilda, mark the new relation which this support brought about between the people and their king. Henry's charter is important, not merely as a direct precedent for the great charter of John, but as the first limitation on the despotism established by the Conqueror and carried to such a height by his son. The "evil customs" by which the red king had enslaved and plundered the church were explicitly renounced in it, the unlimited demands made by both the Conqueror and his son on the baronage exchanged for customary fees, while the rights of the people itself, though recognized more vaguely, were not forgotten. The barons were held to do justice to their under-tenants and to renounce tyrannical exactions from them, the king promising to restore order and the "law of Eadward," the old constitution of the realm, with the changes which his father had introduced. His marriage gave a significance to these promises which the meanest English peasant could understand. Edith, or Matilda, was the daughter of King Malcolm of Scotland and of Margaret, the sister of Eadgar Ætheling. She had been brought

up in the nunnery of Romsey by its abbess, her aunt Christina, and the veil which she had taken there formed an obstacle to her union with the king which was only removed by the wisdom of Anselm. While Flambard, the embodiment of the red king's despotism, was thrown into the Tower, the archbishop's recall had been one of Henry's first acts after his accession. Matilda appeared before his court to tell her tale in words of passionate earnestness. She had been veiled in her childhood, she asserted, only to save her from the insults of the rude soldiery who infested the land; had flung the veil from her again and again; and had yielded at last to the unwomanly taunts, the actual blows of her aunt. "As often as I stood in her presence," the girl pleaded, "I wore the veil, trembling as I wore it with indignation and grief. But as soon as I could get out of her sight I used to snatch it from my head, fling it on the ground, and trample it under foot. That was the way, and none other, in in which I was veiled." Anselm at once declared her free from conventual bonds, and the shout of the English multitude when he set the crown on Matilda's brow drowned the murmur of churchmen or of baron. The mockery of the Norman nobles, who nicknamed the king and his spouse Godric and Godgifu, was lost in the joy of the people at large. For the first time since the conquest an English sovereign sat on the English throne. The blood of Cerdic and Ælfred was to blend itself with that of Rolf and the Conqueror. Henceforth it was impossible that the two peoples should remain parted from

each other; so quick, indeed, was their union that the very name of Norman had passed away in half a century, and at the accession of Henry's grandson it was impossible to distinguish between the descendants of the conquerors and those of the conquered at Senlac.

118. Charter and marriage roused an enthusiasm among his subjects which enabled Henry to defy the claims of his brother and the disaffection of his nobles. Early in 1101 Robert landed at Portsmouth to win the crown in arms. The great barons, with hardly an exception, stood aloof from the king. But the Norman Duke found himself face to face with an English army which gathered at Anselm's summons round Henry's standard. The temper of the English had rallied from the panic of Senlac. The soldiers who came to fight for their king "nowise feared the Normans." As Henry rode along their lines, showing them how to keep firm their shield-wall against the lancers of Robert's knighthood, he was met with shouts for battle. But king and duke alike shrank from a contest in which the victory of either side would have undone the Conqueror's work. The one saw his effort was hopeless; the other was only anxious to remove his rival from the realm, and by a peace which the Count of Meulan negotiated, Robert recognized Henry as King of England, while Henry gave up his fief in the Cotentin to his brother the duke. Robert's retreat left Henry free to deal sternly with the barons who had forsaken him. Robert de Lacy was stripped of his manors in Yorkshire; Robert Malet was driven from

his lands in Suffolk; Ivo of Grantmesnil lost his vast estates and went to the Holy Land as a pilgrim. But greater even than these was Robert of Belesme, the son of Roger of Montgomery, who held in England the earldoms of Shrewsbury and Arundel, while in Normandy he was Count of Ponthieu and Alençon. Robert stood at the head of the baronage in wealth and power; and his summons to the King's Court to answer for his refusal of aid to the king was answered by a haughty defiance. But again the Norman baronage had to feel the strength which English loyalty gave to the crown. Sixty thousand Englishmen followed Henry to the attack of Robert's strongholds along the Welsh border. It was in vain that the nobles about the king, conscious that Robert's fall left them helpless in Henry's hands, strove to bring about a peace. The English soldiers shouted "Heed not these traitors, our lord King Henry," and with the people at his back the king stood firm. Only an early surrender saved Robert's life. He was suffered to retire to his estates in Normandy, but his English lands were confiscated to the crown. "Rejoice, King Henry," shouted the English soldiers, "for you began to be a free king on that day when you conquered Robert of Belesme and drove him from the land." Master of his own realm, and enriched by the confiscated lands of the ruined barons, Henry crossed into Normandy, where the misgovernment of the duke had alienated the clergy and tradesfolk, and where the outrages of nobles like Robert of Belesme forced the more peaceful classes to call the king to their aid. In 1106

his forces met those of his brother on the field of Tenchebray, and a decisive English victory on Norman soil avenged the shame of Hastings. The conquered duchy became a dependency of the English crown, and Henry's energies were frittered away through a quarter of a century in crushing its revolts, the hostility of the French, and the efforts of his nephew William, the son of Robert, to regain the crown which his father had lost.

119. With the victory of Tenchebray Henry was free to enter on that work of administration which was to make his reign memorable in our history. Successful as his wars had been, he was in heart no warrior but a statesman, and his greatness showed itself less in the field than in the council chamber. His outer bearing, like his inner temper, stood in marked contrast to that of his father. Well read, accomplished, easy and fluent of speech, the lord of a harem of mistresses, the center of a gay court where poet and jongleur found a home, Henry remained cool, self-possessed, clear sighted, hard, methodical, loveless himself, and neither seeking nor desiring his people's love, but wringing from them their gratitude and regard by sheer dint of good government. His work of order was necessarily a costly work; and the steady pressure of his taxation, a pressure made the harder by local famines and plagues during his reign, has left traces of the grumbling it roused in the pages of the English Chronicle. But even the chronicler is forced to own amidst his grumblings that Henry "was a good man, and great was the awe of him." He had little of his father's creative ge-

nius, of that far-reaching originality by which the Conqueror stamped himself and his will on the very fabric of our history. But he had the passion for order, the love of justice, the faculty of organization, the power of steady and unwavering rule which was needed to complete the Conqueror's work. His aim was peace, and the title of the peace-loving king, which was given him at his death, showed with what a steadiness and constancy he carried out his aim In Normandy, indeed, his work was ever and anon undone by outbreaks of its baronage, outbreaks sternly repressed only that the work might be patiently and calmly taken up again where it had been broken off. But in England his will was carried out with a perfect success. For more than a quarter of a century the land had rest. Without, the Scots were held in friendship, the Welsh were bridled by a steady and well-planned scheme of gradual conquest. Within, the license of the baronage was held sternly down, and justice secured for all. "He governed with a strong hand," says Orderic, but the strong hand was the hand of a king, not of a tyrant. "Great was the awe of him," writes the annalist of Peterborough. "No man durst ill-do to another in his days. Peace he made for man and beast." Pitiless as were the blows he aimed at the nobles who withstood him, they were blows which his English subjects felt to be struck in their cause. "While he mastered by policy the foremost counts and lords and the boldest tyrants, he ever cherished and protected peaceful men and men of religion and men of the middle class." What impressed observers most was the

unswerving, changeless temper of his rule. The stern justice, the terrible punishments he inflicted on all who broke his laws, were parts of a fixed system which differed widely from the capricious severity of a mere despot. Hardly less impressive was his unvarying success. Heavy as were the blows which destiny leveled at him, Henry bore and rose unconquered from all. To the end of his life the proudest barons lay bound and blinded in his prison. His hoard grew greater and greater. Normandy, toss as she might, lay helpless at his feet to the last. In England it was only after his death that men dared mutter what evil things they had thought of Henry the peace-lover, or censure the pitilessness, the greed, and the lust which had blurred the wisdom and splendor of his rule.

120. His vigorous administration carried out into detail the system of government which the Conqueror had sketched. The vast estates which had fallen to the crown through revolt and forfeiture were granted out to new men dependent on royal favor. On the ruins of the great feudatories whom he had crushed Henry built up a class of lesser nobles, whom the older barons of the Conquest looked down on in scorn, but who were strong enough to form a counterpoise to their influence, while they furnished the crown with a class of useful administrators whom Henry employed as his sheriffs and judges. A new organization of justice and finance bound the kingdom more tightly together in Henry's grasp. The clerks of the royal chapel were formed into a body of secretaries or royal ministers, whose head

bore the title of chancellor. Above them stood the justiciar, or lieutenant-general of the kingdom, who in the frequent absence of the king acted as regent of the realm, and whose staff, selected from the barons connected with the royal household, were formed into a supreme court of the realm. The king's court, as this was called, permanently represented the whole court of royal vassals which had hitherto been summoned thrice in the year. As the royal council, it revised and registered laws, and its "counsel and consent," though merely formal, preserved the principle of the older popular legislation. As a court of justice it formed the highest court of appeal: it could call up any suit from a lower tribunal on the application of a suitor, while the union of several sheriffdoms under some of its members connected it closely with the local courts. As a financial body, its chief work lay in the assessment and collection of the revenue. In this capacity it took the name of the Court of Exchequer from the checkered table, much like a chess-board, at which it sat, and on which accounts were rendered. In their financial capacity its justices became "Barons of the Exchequer." Twice every year the sheriff of each county appeared before these barons and rendered the sum of the fixed rent from royal domains, the danegeld or land tax, the fines of the local courts, the feudal aids from the baronial estates, which formed the chief part of the royal revenue. Local disputes, respecting these payments or the assessment of the town-rents were settled by a detachment of barons from the court, who made the circuit of the shires,

and whose fiscal visitations led to the judicial visitations, the "judges' circuit," which still form so marked a feature in our legal system.

121. Measures such as these changed the whole temper of the Norman rule. It remained a despotism, but from this moment it was a despotism regulated and held in check by the forms of administrative routine. Heavy as was the taxation under Henry the First, terrible as was the suffering throughout his reign from famine and plague, the peace and order which his government secured through thirty years won a rest for the land in which conqueror and conquered blended into a single people and in which this people slowly moved forward to a new freedom. But while England thus rested in peace a terrible blow broke the fortunes of her king. In 1120 his son, William the "Ætheling," with a crowd of nobles, accompanied Henry on his return from Normandy; but the white ship in which he embarked lingered behind the rest of the royal fleet till the guards of the king's treasure pressed its departure. It had hardly cleared the harbor when the ship's side struck on a rock, and in an instant it sank beneath the waves. One terrible cry, ringing through the silence of the night, was heard by the royal fleet, but it was not till the morning that the fatal news reached the king. Stern as he was, Henry fell senseless to the ground, and rose never to smile again. He had no other son, and the circle of his foreign foes closed round him the more fiercely that William, the son of his captive brother Robert, was now his natural heir. Henry hated William while he loved his own daugh-

ter Maud, who had been married to the Emperor Henry the Fifth, but who had been restored by his death to her father's court. The succession of a woman was new in English history; it was strange to a feudal baronage. But when all hope of issue from a second wife whom he wedded was over Henry forced priests and nobles to swear allegiance to Maud as their future mistress, and affianced her to Geoffry the Handsome, the son of the one foe whom he dreaded, Count Fulk of Anjou.

122. The marriage of Matilda was but a step in the wonderful history by which the descendants of a Breton woodman became masters not of Anjou only, but of Touraine, Maine, and Poitou, of Gascony and Auvergne, of Acquitaine and Normandy, and sovereigns at last of the great realm which Normandy had won. The legend of the father of their races carries us back to the times of our own Ælfred, when the Danes were ravaging along Loire as they ravaged along Thames. In the heart of the Breton border, in the debatable land between France and Brittany, dwelt Tortulf the forester, half-brigand, half-hunter as the gloomy days went, living in free outlaw fashion in the woods about Rennes. Tortulf had learned in his rough forest school "how to strike the foe, to sleep on the bare ground, to bear hunger and toil, summer's heat and winter's frost, how to fear nothing save ill-fame." Following King Charles the Bald in his struggle with the Danes, the woodman won broad lands along Loire, and his son Ingelger, who had swept the Northmen from Touraine and the land to the west, which they had burned and wasted

into a vast solitude, became the first Count of Anjou. But the tale of Tortulf and Ingelger is a mere creation of some 12th century jongleur. The earliest count whom history recognizes is Fulk the Red. Fulk attached himself to the dukes of France who were now drawing nearer to the throne, and in 888 received from them in guerdon the western portion of Anjou which lay across the Mayenne. The story of his son is a story of peace, breaking like a quiet idyll the war-storms of his house. Alone of his race, Fulk the good waged no wars; his delight was to sit in the choir of Tours and to be called "canon." One Martinmas eve Fulk was singing there in clerkly guise when the French king, Lewis d'Outremer, entered the church. "He sings like a priest," laughed the king as his nobles pointed mockingly to the figure of the count canon. But Fulk was ready with his reply. "Know, my lord," wrote the Count of Anjou, "that a king unlearned is a crowned ass." Fulk was in fact no priest, but a busy ruler, governing, enforcing peace, and carrying justice to every corner of the wasted land. To him alone of his race men gave the title of "the Good."

123. Hampered by revolt, himself in character little more than a bold, dashing soldier, Fulk's son, Geoffry Greygown, sank almost into a vassal of his powerful neighbors, the counts of Blois and Champagne. But this vassalage was roughly shaken off by his successor. Fulk Nerra, Fulk the Black, is the greatest of the Angevins, the first in whom we can trace that marked type of character which their house was to preserve through two hundred years.

He was without natural affection. In his youth he burned a wife at the stake, and legend told how he led her to her doom decked out in his gayest attire. In his old age he waged his bitterest war against his son, and exacted from him when vanquished a humiliation which men reserved for the deadliest of their foes. "You are conquered, you are conquered!" shouted the old man in fierce exultation, as Geoffry, bridled and saddled like a beast of burden, crawled for pardon to his father's feet. In Fulk first appeared that low type of superstition which startled even superstitious ages in the early Plantagenets. Robber as he was of church lands, and contemptuous of ecclesiastical censures, the fear of the end of the world drove Fulk to the holy sepulcher. Barefoot and with the strokes of the scourge falling heavily on his shoulders, the count had himself dragged by a halter through the streets of Jerusalem, and courted the doom of martyrdom by his wild outcries of penitence. He rewarded the fidelity of Herbert of Le Mans, whose aid saved him from utter ruin, by entrapping him into captivity and robbing him of his lands. He secured the terrified friendship of the French king by dispatching twelve assassins to cut down before his eyes the minister who had troubled it. Familiar as the age was with treason and rapine and blood, it recoiled from the cool cynicism of his crimes, and believed the wrath of heaven to have been revealed against the union of the worst forms of evil in Fulk the Black. But neither the wrath of heaven nor the curses of men broke with a single mishap the fifty years of his success.

124. At his accession in 987 Anjou was the least important of the greater provinces of France. At his death in 1040 it stood, if not in extent, at least in real power, first among them all. Cool-headed, clear-sighted, quick to resolve, quicker to strike, Fulk's career was one long series of victories over all his rivals. He was a consummate general, and he had the gift of personal bravery, which was denied to some of his greatest descendants. There was a moment in the first of his battles when the day seemed lost for Anjou; a feigned retreat of the Bretons drew the Angevin horsemen into a line of hidden pitfalls, and the count himself was flung heavily to the ground. Dragged from the medley of men and horses, he swept down almost singly on the foe "as a storm-wind" (so rang the pæan of the Angevins) "sweeps down on the thick corn-rows," and the field was won. But to these qualities of the warrior he added a power of political organization, a capacity for far-reaching combinations, a faculty of statesmanship, which became the heritage of his race, and lifted them as high above the intellectual level of the rulers of their time as their shameless wickedness degraded them below the level of man. His overthrow of Brittany on the field of Conquereux was followed by the gradual absorption of Southern Touraine; a victory at Pontlevoi crushed the rival house of Blois; the seizure of Saumur completed his conquests in the south, while Northern Touraine was won bit by bit till only Tours resisted the Angevin. The treacherous seizure of its count, Herbert Wakedog, left Maine at his mercy.

125. His work of conquest was completed by his son. Geoffry Martel wrested Tours from the Count of Blois, and by the seizure of Le Mans brought his border to the Norman frontier. Here, however, his advance was checked by the genius of William the Conqueror, and with his death the greatness of Anjou came for a while to an end. Stripped of Maine by the Normans, and broken by dissensions within, the weak and profligate rule of Fulk Rechin left Anjou powerless. But in 1109 it woke to fresh energy with the accession of his son, Fulk of Jerusalem. Now urging the turbulent Norman nobles to revolt, now supporting Robert's son, William, in his strife with his uncle, offering himself throughout as the loyal supporter of the French kingdom, which was now hemmed in on almost every side by the forces of the English king and of his allies, the counts of Blois and Champagne, Fulk was the one enemy whom Henry the First really feared. It was to disarm his restless hostility that the king gave the hand of Matilda to Geoffry the Handsome. But the hatred between Norman and Angevin had been too bitter to make such a marriage popular, and the secrecy with which it was brought about was held by the barons to free them from the oath they had previously sworn. As no baron, if he was sonless, could give a husband to his daughter save with his lord's consent, the nobles held by a strained analogy that their own assent was needful to the marriage of Maud. Henry found a more pressing danger in the greed of her husband Geoffry, whose habit of wearing the common broom of Anjou, the planta genista, in his

helmet gave him the title of Plantagenet. His claims ended at last in intrigues with the Norman nobles, and Henry hurried to the border to meet an Angevin invasion; but the plot broke down at his presence, the Angevins retired, and at the close of 1135 the old king withdrew to the Forest of Lyons to die.

126. "God give him," wrote the Archbishop of Rouen, from Henry's death-bed, "the peace he loved." With him, indeed, closed the long peace of the Norman rule. An outburst of anarchy followed on the news of his departure, and in the midst of the turmoil, Earl Stephen, his nephew, appeared at the gates of London. Stephen was a son of the Conqueror's daughter, Adela, who had married a count of Blois; he had been brought up at the English court, had been made Count of Mortain by Henry, had become Count of Boulogne by his marriage, and as head of the Norman baronage had been the first to pledge himself to support Matilda's succession. But his own claim as nearest male heir of the Conqueror's blood (for his cousin, the son of Robert, had fallen some years before in Flanders) was supported by his personal popularity; mere swordsman as he was, his good humor, his generosity, his very prodigality, made Stephen a favorite with all. No noble, however, had as yet ventured to join him, nor had any town opened its gates when London poured out to meet him with uproarious welcome. Neither baron nor prelate was present to constitute a national council, but the great city did not hesitate to take their place. The voice of her citizens had long been accepted as representative of the popular assent in

the election of a king; but it marks the progress of English independence under Henry that London now claimed of itself the right of election. Undismayed by the absence of the hereditary counselors of the crown, its "Aldermen and wise folk gathered together the folk-moot, and these providing at their own will for the good of the realm unanimously resolved to choose a king." The solemn deliberation ended in the choice of Stephen, the citizens swore to defend the king with money and blood, Stephen swore to apply his whole strength to the pacification and good government of the realm. It was, in fact, the new union of conquered and conquerors into a single England that did Stephen's work. The succession of Maud meant the rule of Geoffry of Anjou, and to Norman as to Englishman the rule of the Angevin was a foreign rule. The welcome Stephen won at London and Winchester, his seizure of the royal treasure, the adhesion of the Justiciar Bishop Roger to his cause, the reluctant consent of the archbishop, the hopelessness of aid from Anjou, where Geoffry was at this moment pressed by revolt, the need above all of some king to meet the outbreak of anarchy which followed Henry's death, secured Stephen the voice of the baronage. He was crowned at Christmastide; and soon joined by Robert Earl of Gloucester, a bastard son of Henry and the chief of his nobles; while the issue of a charter from Oxford in 1136, a charter which renewed the dead king's pledge of good government, promised another Henry to the realm. The charter surrendered all forests made in the last reign as a sop to the nobles; it conciliated

the church by granting freedom of election and renouncing all right to the profits of vacant churches; it won the people by a pledge to abolish the tax of Danegeld.

127. The king's first two years were years of success and prosperity. Two risings of barons in the east and west were easily put down, and in 1137 Stephen passed into Normandy and secured the duchy against an attack from Anjou. But already the elements of trouble were gathering round him. Stephen was a mere soldier, with few kingly qualities save that of a soldier's bravery; and the realm soon began to slip from his grasp. He turned against himself the jealous dread of foreigners to which he owed his accession by surrounding himself with hired knights from Flanders; he drained the treasury by creating new earls endowed with pensions from it; and recruited his means by base coinage. His consciousness of the gathering storm only drove Stephen to bind his friends to him by suffering them to fortify castles and to renew the feudal tyranny which Henry had struck down. But the long reign of the dead king had left the crown so strong that even yet Stephen could hold his own. A plot which Robert of Gloucester had been weaving from the outset of his reign came, indeed, to a head in 1138, and the earl's revolt stripped Stephen of Caen and half Normandy. But when his partisans in England rose in the south and the west, and the King of Scots, whose friendship Stephen had bought in the opening of his reign by the cession of Carlisle, poured over the northern border, the nation stood firmly by the king

Stephen himself marched on the western rebels and soon left them few strongholds save Bristol. His people fought for him in the north. The pillage and cruelties of the wild tribes of Galloway and the Highlands roused the spirit of the Yorkshiremen. Baron and freeman gathered at York round Archbishop Thurstan and marched to the field of Northallerton to await the foe. The sacred banners of St. Cuthbert of Durham, St. Peter of York, St. John of Beverley, and St. Wilfred of Ripon, hung from a pole fixed in a four-wheeled car which stood in the center of the host. The first onset of David's host was a terrible one. "I who wear no armor," shouted the chief of the Galwegians, "will go as far this day as any one with breastplate of mail;" his men charged with wild shouts of "Albin, Albin," and were followed by the Norman knighthood of the Lowlands. But their repulse was complete; the fierce hordes dashed in vain against the close English ranks around the standard, and the whole army fled in confusion to Carlisle.

128. Weak, indeed, as Stephen was, the administrative organization of Henry still did its work. Roger remained justiciar, his son was chancellor, his nephew Nigel, the Bishop of Ely, was treasurer. Finance and justice were thus concentrated in the hands of a single family, which preserved amid the deepening misrule, something of the old order and rule, and which stood at the head of the "new men" whom Henry had raised into importance and made the instruments of his will. These new men were still weak by the side of the older nobles; and, con-

scious of the jealousy and ill-will with which they were regarded, they followed in self-defense the example which the barons were setting in building and fortifying castles on their domains. Roger and his house, the objects from their official position of a deeper grudge than any, were carried away by the panic. The justiciar and his son fortified their castles, and it was only with a strong force at their back that the prelates appeared at court. Their attitude was one to rouse Stephen's jealousy, and the news of Matilda's purpose of invasion lent strength to the doubts which the nobles cast on their fidelity. All the weak violence of the king's temper suddenly broke out. He seized Roger the chancellor and the Bishop of Lincoln when they appeared at Oxford in June, 1139, and forced them to surrender their strongholds. Shame broke the justiciar's heart; he died at the close of the year, and his nephew Nigel of Ely was driven from the realm. But the fall of this house shattered the whole system of government. The king's court and the exchequer ceased to work at a moment when the landing of the Earl Robert and the Empress Matilda set Stephen face to face with a danger greater than he had yet encountered, while the clergy, alienated by the arrest of the bishops and the disregard of their protests, stood angrily aloof.

129. The three bases of Henry's system of government, the subjection of the baronage to the law, the good-will of the church, and the organization of justice and finance, were now utterly ruined; and for the seventeen years which passed from this hour to the treaty of Wallingford, England was given up to

the miseries of civil war. The country was divided between the adherents of the two rivals, the west supporting Matilda, London and the east Stephen. A defeat at Lincoln in 1141 left the latter a captive in the hands of his enemies, while Matilda was received throughout the land as its "lady." But the disdain with which she repulsed the claim of London to the enjoyment of its older privileges called its burghers to arms; her resolve to hold Stephen a prisoner roused his party again to life; and she was driven to Oxford to be besieged there in 1142 by Stephen himself, who had obtained his release in exchange for Earl Robert after the capture of the earl in a battle at Devizes. She escaped from the castle, but with the death of Robert her struggle became a hopeless one, and in 1146 she withdrew to Normandy. The war was now a mere chaos of pillage and bloodshed. The royal power came to an end. The royal courts were suspended, for not a baron or bishop would come at the king's call. The bishops met in council to protest, but their protests and excommunications fell on deafened ears. For the first and last time in her history England was in the hands of the baronage, and their outrages showed from what horrors the stern rule of the Norman kings had saved her. Castles sprang up everywhere. "They filled the land with castles," says the terrible annalist of the time. "They greatly oppressed the wretched people by making them work at these castles, and when they were finished they filled them with devils and armed men." In each of these robber-holds a petty tyrant ruled like a king. The strife for the

crown had broken into a medley of feuds between baron and baron, for none could brook an equal or a superior in his fellow. "They fought among themselves with deadly hatred, they spoiled the fairest lands with fire and rapine; in what had been the most fertile of counties they destroyed almost all the provision of bread." For, fight as they might with one another, all were at one in the plunder of the land. Towns were put to ransom. Villages were sacked and burned. All who were deemed to have goods, whether men or women, were carried off and flung into dungeons and tortured till they yielded up their wealth. No ghastlier picture of a nation's misery has ever been painted than that which closes the English chronicle whose last accents falter out amid the horrors of the time. "They hanged up men by their feet and smoked them with foul smoke. Some were hanged up by their thumbs, others by the head, and burning things were hung on to their feet. They put knotted strings about men's heads, and writhed them till they went to the brain. They put men into prisons where adders and snakes and toads were crawling, and so they tormented them. Some they put into a chest, short and narrow, and not deep, and that had sharp stones within, and forced men therein so that they broke all their limbs. In many of the castles were hateful and grim things called rachenteges, which two or three men had enough to do to carry. It was thus made: it was fastened to a beam and had a sharp iron to go about a man's neck and throat, so that he might no ways

sit, or lie, or sleep, but he bore all the iron. Many thousands they starved with hunger."

180. It was only after years of this feudal anarchy that England was rescued from it by the efforts of the church. The political influence of the church had been greatly lessened by the conquest: for pious, learned, and energetic as the bulk of the Conqueror's bishops were, they were not Englishmen. Till the reign of Henry the First no Englishman occupied an English see. The severance of the higher clergy from the lower priesthood and from the people went far to paralyze the constitutional influence of the church. Anselm stood alone against Rufus; and when Anselm was gone no voice of ecclesiastical freedom broke the silence of the reign of Henry the First. But at the close of Henry's reign, and throughout the reign of Stephen, England was stirred by the first of those great religious movements which it was to experience afterward in the preaching of the friars, the Lollardism of Wycliffe, the Reformation, the Puritan enthusiasm, and the mission work of the Wesleys. Everywhere in town and country men banded themselves together for prayer: hermits flocked to the woods: noble and churl welcomed the austere Cistercians, a reformed offshoot of the Benedictine order, as they spread over the moors and forests of the north. A new spirit of devotion woke the slumbers of the religious houses, and penetrated alike to the home of the noble and the trader! London took its full share in the revival. The city was proud of its religion, its thirteen conventual and more than a hundred parochial churches. The new impulse

changed its very aspect. In the midst of the city Bishop Richard busied himself with the vast cathedral church of St. Paul, which Bishop Maurice had begun; barges came up the river with stone from Caen for the great arches that moved the popular wonder, while street and lane were being leveled to make room for its famous churchyard. Rahere, a minstrel at Henry's court, raised the priory of St. Bartholomew beside Smithfield. Alfune built St. Giles's at Cripplegate. The old English Cnichtenagild surrendered their soke of Aldgate as a site for the new priory of the Holy Trinity. The tale of this house paints admirably the temper of the citizens at the time. Its founder, Prior Norman, built church and cloister, and bought books and vestments in so liberal a fashion that no money remained to buy bread. The canons were at their last gasp when the city-folk, looking into the refectory as they passed round the cloister in their usual Sunday procession, saw the tables laid, but not a single loaf on them. "Here is a fine set out," said the citizens; "but where is the bread to come from?" The women who were present vowed each to bring a loaf every Sunday, and there was soon bread enough and to spare for the priory and its priest.

131. We see the strength of the new movement in the new class of ecclesiastics whom it forced on to the stage. Men like Archbishop Theobald drew whatever influence they wielded from a belief in their holiness in life and unselfishness of aim. The paralysis of the church ceased as the new impulse bound prelacy and people together, and at the mo-

ment we have reached its power was found strong enough to wrest England out of the chaos of feudal misrule. In the early part of Stephen's reign his brother Henry, the Bishop of Winchester, who had been appointed in 1139 papal legate for the realm, had striven to supply the absence of any royal or national authority by convening synods of bishops, and by asserting the moral right of the church to declare sovereigns unworthy of the throne. The compact between king and people which became a part of constitutional law in the charter of Henry had gathered new force in the charter of Stephen, but its legitimate consequence in the responsibility of the crown for the execution of the compact was first drawn out by these ecclesiastical councils. From the alternate depositions of Stephen and Matilda flowed the after depositions of Edward and Richard, and the solemn act by which the succession was changed in the case of James. Extravagant and unauthorized as their expression of it may appear, they expressed the right of a nation to good government. Henry of Winchester, however, "half monk, half soldier," as he was called, possessed too little religious influence to wield a really spiritual power, and it was only at the close of Stephen's reign that the nation really found a moral leader in Theobald, the Archbishop of Canterbury. Theobald's ablest agent and adviser was Thomas, son of Gilbert Becket, a leading citizen, and, it is said, Portreeve of London, the site of whose house is still marked by the Mercer's Chapel in Cheapside. His mother Rohese, was a type of the devout woman of her day; she

weighed her boy every year on his birthday against money, clothes, and provisions which she gave to the poor. Thomas grew up amid the Norman barons and clerks who frequented his father's house with a genial freedom of character tempered by the Norman refinement; he passed from the school of Merton to the university of Paris, and returned to fling himself into the life of the young nobles of the time. Tall, handsome, bright-eyed, ready of wit and speech, his firmness of temper showed itself in his very sports; to rescue his hawk which had fallen into the water he plunged into a mill-race, and was all but crushed by the wheel. The loss of his father's wealth drove him to the court of Archbishop Theobald, and he soon became the primate's confidant in his plans for the rescue of England.

132. The natural influence which the primate would have exerted was long held in suspense by the superior position of Bishop Henry of Winchester as papal legate; but this office ceased with the Pope who granted it, and when in 1150 it was transferred to the archbishop himself, Theobald soon made his weight felt. The long disorder of the realm was producing its natural reaction in exhaustion and disgust, as well as in a general craving for return to the line of hereditary succession whose breaking seemed to cause the nation's woes. But the growth of their son Henry to manhood set naturally aside the pretensions both of Count Geoffry and Matilda. Young as he was, Henry already showed the cool long-sighted temper which was to be his characteristic on the throne. Foiled in an early attempt to grasp the

throne, he looked quietly on at the disorder which was doing his work till the death of his father at the close of 1151 left him master of Normandy and Anjou. In the spring of the following year his marriage with its duchess, Eleanor of Poitou, added Aquitaine to his dominions. Stephen saw the gathering storm, and strove to meet it. He called on the bishops and baronage to secure the succession of his son Eustace by consenting to his association with him in the kingdom. But the moment was now come for Theobald to play his part. He was already negotiating through Thomas of London with Henry and the Pope; he met Stephen's plan by a refusal to swear fealty to his son, and the bishops, in spite of Stephen's threats, went with their head. The blow was soon followed by a harder one. Thomas, as Theobald's agent, invited Henry to appear in England, and though the duke disappointed his supporters' hopes by the scanty number of men he brought with him in 1153, his weakness proved in the end a source of strength. It was not to foreigners, men said, that Henry owed his success, but to the arms of Englishmen. An English army gathered round him, and as the hosts of Stephen and the duke drew together a battle seemed near which would decide the fate of the realm. But Theobald, who was now firmly supported by the greater barons, again interfered and forced the rivals to an agreement. To the excited partisans of the house of Anjou it seemed as if the nobles were simply playing their own game in the proposed settlement and striving to preserve their power by a balance of masters. The suspicion

was probably groundless, but all fear vanished with the death of Eustace, who rode off from his father's camp, maddened with the ruin of his hopes, to die in August, smitten, as men believed, by the hand of God for his plunder of abbeys. The ground was now clear, and in November the treaty of Wallingford abolished the evils of the long anarchy. The castles were to be razed, the crown lands resumed, the foreign mercenaries banished from the country, and sheriffs appointed to restore order. Stephen was recognized as king, and in turn recognized Henry as his heir. The duke received at Oxford the fealty of the barons, and passed into Normandy in the spring of 1154. The work of reformation had already begun. Stephen resented, indeed, the pressure which Henry put on him to enforce the destructions of the castles built during the anarchy; but Stephen's resistance was but the pettish outbreak of a ruined man. He was in fact fast drawing to the grave; and on his death, in October, 1154, Henry returned to take the crown without a blow.

CHAPTER III.

HENRY THE SECOND.

1154-1189.

133. YOUNG as he was—and he had reached but his twenty-first year when he returned to England as its king—Henry mounted the throne with a purpose of government which his reign carried steadily out. His practical, serviceable frame suited the

hardest worker of his time. There was something in his build and look, in the square stout form, the fiery face, the close-cropped hair, the prominent eyes, the bull neck, the coarse strong hands, the bowed legs, that marked out the keen, stirring, coarse-fibered man of business. "He never sits down," said one who observed him closely; "he is always on his legs from morning till night." Orderly in business, careless of appearance, sparing in diet, never resting or giving his servants rest, chatty, inquisitive, endowed with a singular charm of address and strength of memory, obstinate in love or hatred, a fair scholar, a great hunter, his general air that of a rough, passionate, busy man. Henry's personal character told directly on the character of his reign. His accession marks the period of amalgamation when neighborhood and traffic and intermarriage drew Englishmen and Normans into a single people. A national feeling was thus springing up before which the barriers of the older feudalism were to be swept away. Henry had even less reverence for the feudal past than the men of his day; he was, indeed, utterly without the imagination and reverence which enabled men to sympathize with any past at all. He had a practical man's impatience of the obstacles thrown in the way of his reforms by the older constitution of the realm, nor could he understand other men's reluctance to purchase undoubted improvements by the sacrifice of customs and traditions of bygone days. Without any theoretical hostility to the co-ordinate powers of the state, it seemed to him a perfectly reasonable and natural course to trample

either baronage or church under foot to gain his end of good government. He saw clearly that the remedy for such anarchy as England had endured under Stephen lay in the establishment of a kingly rule unembarrassed by any privileges of order or class, administered by royal servants, and in whose public administration the nobles acted simply as delegates of the sovereign. His work was to lie in the organization of judicial and administrative reforms which realized this idea. But of the currents of thought and feeling which were tending in the same direction he knew nothing. What he did for the moral and social impulses which were telling on men about him was simply to let them alone. Religion grew more and more identified with patriotism under the eyes of a king who whispered, and scribbled, and looked at picture-books during mass, who never confessed, and cursed God in wild frenzies of blasphemy. Great peoples formed themselves on both sides of the sea round a sovereign who bent the whole force of his mind to hold together an empire which the growth of nationality must inevitably destroy. There is throughout a tragic grandeur in the irony of Henry's position, that of a Sforza of the fifteenth century set in the midst of the twelfth, building up by patience and policy and craft a dominion alien to the deepest sympathies of his age and fated to be swept away in the end by popular forces to whose existence his very cleverness and activity blinded him. But whether by the anti-national temper of his general system or by the administrative reforms of his English rule, his policy did more than that

of all his predecessors to prepare England for the unity and freedom which the fall of his house was to reveal.

134. He had been placed on the throne, as we have seen, by the church. His first work was to repair the evils which England had endured till his accession by the restoration of the system of Henry the First; and it was with the aid and counsel of Theobald that the foreign marauders were driven from the realm, the new castles demolished in spite of the opposition of the baronage, the king's court and exchequer restored. Age and infirmity, however, warned the primate to retire from the post of minister, and his power fell into the younger and more vigorous hands of Thomas Beket, who had long acted as his confidential adviser and was now made chancellor. Thomas won the personal favor of the king. The two young men had, in Theobald's words, "but one heart and mind;" Henry jested in the chancellor's hall, or tore his cloak from his shoulders in rough horse-play as they rode through the streets. He loaded his favorite with riches and honors, but there is no ground for thinking that Thomas in any degree influenced his system of rule. Henry's policy seems for good or evil to have been throughout his own. His work of reorganization went steadily on amid troubles at home and abroad. Welsh outbreaks forced him in 1157 to lead an army over the border; and a crushing repulse showed that he was less skillful as a general than as a statesman. The next year saw him drawn across the channel, where he was already master of a third of

the present France. Anjou and Touraine he had inherited from his father; Maine and Normandy from his mother; he governed Brittany through his brother; while the seven provinces of the south, Poitou, Saintonge, Auvergne, Perigord, the Limousin, the Angoumois, and Guienne, belonged to his wife. As Duchess of Aquitaine, Eleanor, had claims on Toulouse, and these Henry prepared in 1159 to enforce by arms. But the campaign was turned to the profit of his reforms. He had already begun the work of bringing the baronage within the grasp of the law by sending judges from the exchequer, year after year, to exact the royal dues and administer the king's justice even in castle and manor. He now attacked its military influence. Each man who held lands of a certain value was bound to furnish a knight for his lord's service; and the barons thus held a body of trained soldiers at their disposal. When Henry called his chief lords to serve in the war of Toulouse, he allowed the lower tenants to commute their service for sums payable to the royal treasury under the name of "scutage," or shield-money. The "great scutage" did much to disarm the baronage, while it enabled the king to hire foreign mercenaries for his service abroad. Again, however, he was luckless in war. King Lewis of France threw himself into Toulouse. Conscious of the ill-compacted nature of his wide dominion, Henry shrank from an open contest with his suzerain; he withdrew his forces, and the quarrel ended in 1160 by a formal alliance and the betrothal of his eldest son to the daughter of Lewis.

185. Henry returned to his English realm to regulate the relations of the state with the church. These rested in the main on the system established by the Conqueror, and with that system Henry had no wish to meddle. But he was resolute that, baron or priest, all should be equal before the law; and he had no more mercy for clerical than for feudal immunities. The immunities of the clergy, indeed, were becoming a hindrance to public justice. The clerical order in the middle ages extended far beyond the priesthood; it included in Henry's day the whole of the professional and educated classes. It was subject to the jurisdiction of the church courts alone; but bodily punishment could only be inflicted by officers of the lay courts; and so great had the jealousy between clergy and laity become that the bishops no longer sought civil aid, but restricted themselves to the purely spiritual punishments of penance and deprivation of orders. Such penalties formed no effectual check upon crime, and while preserving the church courts the king aimed at the delivery of convicted offenders to secular punishment. For the carrying out of these designs he sought an agent in Thomas the chancellor. Thomas had now been his minister for eight years, and had fought bravely in the war against Toulouse at the head of the 700 knights who formed his household. But the king had other work for him than war. On Theobald's death, in 1162, he forced on the monks of Canterbury his election as archbishop. But from the moment of his appointment the dramatic temper of the new primate flung its whole energy into the part he set himself to play.

At the first intimation of Henry's purpose he pointed, with a laugh, to his gay court attire: "You are choosing a fine dress," he said, "to figure at the head of your Canterbury monks;" once monk and archbishop he passed with a fevered earnestness from luxury to asceticism; and a visit to the council of Tours in 1163, where the highest doctrines of ecclesiastical authority were sanctioned by Pope Alexander the Third, strengthened his purpose of struggling for the privileges of the church. His change of attitude encouraged his old rivals at court to vex him with petty law-suits, but no breach had come with the king till Henry proposed that clerical convicts should be punished by the civil power. Thomas refused; he would only consent that a clerk, once degraded, should for after offences suffer like a layman. Both parties appealed to the "customs" of the realm; and it was to state these "customs" that a court was held in 1164 at Clarendon, near Marlborough.

136. The report presented by bishops and barons formed the constitutions of Clarendon, a code which in the bulk of its provisions simply re-enacted the system of the Conqueror. Every election of bishop or abbot was to take place before royal officers, in the king's chapel, and with the king's assent. The prelate-elect was bound to do homage to the king for his lands before consecration, and to hold his lands as a barony from the king, subject to all feudal burdens of taxation and attendance in the king's court. No bishop might leave the realm without the royal permission. No tenant in chief or royal servant might be excommunicated, or their land placed under

interdict, but by the king's assent. What was new was the legislation respecting ecclesiastical jurisdiction. The king's court was to decide whether a suit between clerk and layman, whose nature was disputed, belonged to the church courts or the king's. A royal officer was to be present at all ecclesiastical proceedings in order to confine the bishop's court within its own due limits, and a clerk convicted there passed at once under the civil jurisdiction. An appeal was left from the archbishop's court to the king's court for defect of justice, but none might appeal to the papal court save with the king's leave. The privilege of sanctuary in churches and churchyards was repealed, so far as property and not persons was concerned. After a passionate refusal the primate was at last brought to set his seal to these constitutions, but his assent was soon retracted, and Henry's savage resentment threw the moral advantage of the position into his opponent's hands. Vexatious charges were brought against Thomas, and he was summoned to answer at a council held in the autumn at Northampton. All urged him to submit; his very life was said to be in peril from the king's wrath. But in the presence of danger the courage of the man rose to its full height. Grasping his archiepiscopal cross he entered the royal court, forbade the nobles to condemn him, and appealed in the teeth of the constitutions to the papal see. Shouts of "Traitor!" followed him as he withdrew. The primate turned fiercely at the word: "Were I a knight," he shouted back, "my sword should answer that foul taunt!" Once alone, however, dread pressed more heavily;

he fled in disguise at nightfall and reached France through Flanders.

137. Great as were the dangers it was to bring with it, the flight of Thomas left Henry free to carry on the reforms he had planned. In spite of denunciations from primate and pope, the constitutions regulated from this time the relations of the church with the state. Henry now turned to the actual organization of the realm. His reign, it has been truly said, "initiated the rule of law" as distinct from the despotism, whether personal or tempered by routine, of the Norman sovereigns. It was by successive "assizes" or codes, issued with the sanction of the great councils of barons and prelates which he summoned year by year, that he perfected in a system of gradual reforms the administrative measures which Henry the First had begun. The fabric of our judicial legislation commences in 1166 with the assize of Clarendon, the first object of which was to provide for the order of the realm by reviving the old English system of mutual security or frank-pledge. No stranger might abide in any place save a borough, and only there for a single night, unless sureties were given for his good behavior; and the list of such strangers was to be submitted to the itinerant justices. In the provisions of this assize for the repression of crime we find the origin of trial by jury, so often attributed to earlier times. Twelve lawful men of each hundred, with four from each township, were sworn to present those who were known or reputed as criminals within their district for trial by ordeal. The jurors were thus not merely witnesses, but

sworn to act as judges also in determining the value of the charge; and it is this double character of Henry's jurors that has descended to our "grand jury," who still remain charged with the duty of presenting criminals for trial after examination of the witnesses against them. Two later steps brought the jury to its modern condition. Under Edward the First witnesses acquainted with the particular fact in question were added in each case to the general jury, and by the separation of these two classes of jurors at a later time the last became simply "witnesses" without any judicial power, while the first ceased to be witnesses at all and became our modern jurors, who are only judges of the testimony given. With this assize, too, a practice which had prevailed from the earliest English times, the practice of "compurgation," passed away. Under this system the accused could be acquitted of the charge by the voluntary oath of his neighbors and kinsmen; but this was abolished by the assize of Clarendon, and for the fifty years which followed it his trial, after the investigation of the grand jury, was found solely in the ordeal or "judgment of God," where innocence was proved by the power of holding hot iron in the hand or by sinking when flung into the water, for swimming was a proof of guilt. It was the abolition of the whole system of ordeal by the Council of Lateran in 1216 which led the way to the establishment of what is called a "petty jury" for the final trial of prisoners.

138. But Henry's work of reorganization had hardly begun when it was broken by the pressure of

the strife with the primate. For six years the contest raged bitterly; at Rome, at Paris, the agents of the two powers intrigued against each other. Henry stooped to acts of the meanest persecution in driving the primate's kinsmen from England, and in confiscating the lands of their order till the monks of Pontigny should refuse Thomas a home; while Beket himself exhausted the patience of his friends by his violence and excommunications, as well as by the stubbornness with which he clung to the offensive clause "saving the honor of my order," the addition of which to his consent would have practically neutralized the king's reforms. The pope counseled mildness; the French king for a time withdrew his support; his own clerks gave way at last. "Come up," said one of them bitterly when his horse stumbled on the road, "saving the honor of the church and my order." But neither warning nor desertion moved the resolution of the primate. Henry, in dread of papal excommunication, resolved in 1170 on the coronation of his son: and this office, which belonged to the see of Canterbury, he transferred to the Archbishop of York. But the pope's hands were now freed by his successes in Italy, and the threat of an interdict forced the king to a show of submission. The archbishop was allowed to return after a reconciliation with the king at Freteval, and the Kentishmen flocked around him with uproarious welcome as he entered Canterbury. "This is England," said his clerks, as they saw the white headlands of the coast. "You will wish yourself elsewhere before fifty days are gone," said Thomas sadly, and his fore-

boding showed his appreciation of Henry's character. He was now in the royal power, and orders had already been issued in the younger Henry's name for his arrest when four knights from the king's court, spurred to outrage by a passionate outburst of their master's wrath, crossed the sea, and on the 29th of December forced their way into the archbishop's palace. After a stormy parley with him in his chamber they withdrew to arm. Thomas was hurried by his clerks into the cathedral, but as he reached the steps leading from the transept to the choir his pursuers burst in from the cloisters. "Where," cried Reginald Fitzurse in the dusk of the dimly lighted minster—"where is the traitor, Thomas Beket?" The primate turned resolutely back: "Here am I, no traitor, but a priest of God," he replied, and again descending the steps he placed himself with his back against a pillar and fronted his foes. All the bravery and violence of his old knightly life seemed to revive in Thomas as he tossed back the threats and demands of his assailants. "You are our prisoner," shouted Fitzurse, and the four knights seized him to drag him from the church. "Do not touch me, Reginald," cried the primate, "pander that you are, you owe me fealty;" and availing himself of his personal strength he shook him roughly off. "Strike, strike," retorted Fitzurse, and blow after blow struck Thomas to the ground. A retainer of Ranulf de Broc, with the point of his sword, scattered the primate's brains on the ground. "Let us be off," he cried triumphantly, "this traitor will never rise again."

139. The brutal murder was received with a thrill

of horror throughout Christendom; miracles were wrought at the martyr's tomb, he was canonized, and became the most popular of English saints. The stately "martyrdom" which rose over his relics at Canterbury seemed to embody the triumph which his blood had won. But the contest had, in fact, revealed a new current of educated opinion which was to be more fatal to the church than the reforms of the king. Throughout it Henry had been aided by a silent revolution which now began to part the purely literary class from the purely clerical. During the earlier ages of our history we have seen literature springing up in ecclesiastical schools, and protecting itself against the ignorance and violence of the time under ecclesiastical privileges. Almost all our writers, from Bæda to the days of the Angevins, are clergy or monks. The revival of letters which followed the conquest was a purely ecclesiastical revival; the intellectual impulse which Bec had given to Normandy traveled across the channel with the new Norman abbots who were established in the greater English monasteries; and writing-rooms or scriptoria, where the chief works of Latin literature, patristic or classical, were copied and illuminated, the lives of saints compiled, and entries noted in the monastic chronicle, formed from this time a part of every religious house of any importance. But the literature which found this religious shelter was not so much ecclesiastical as secular. Even the philosophical and devotional impulse given by Anselm produced no English work of theology or metaphysics. The literary revival which followed the conquest

took mainly the old historical form. At Durham Turgot and Simeon threw into Latin shape the national annals to the time of Henry the First, with an especial regard to northern affairs, while the earlier events of Stephen's reign were noted down by two priors of Hexham in the wild borderland between England and the Scots.

140. These, however, were the colorless jottings of mere annalists; it was in the Scriptorium of Canterbury, in Osbern's lives of the English saints, or in Eadmer's record of the struggle of Anslem against the Red King and his successor that we see the first indications of a distinctively English feeling telling on the new literature. The national impulse is yet more conspicuous in the two historians that followed. The war-songs of the English conquerors of Britain were preserved by Henry, an archdeacon of Huntingdon, who wove them into annals compiled from Bæda and the Chronicle; while William, the librarian of Malmesbury, as industriously collected the lighter ballads which embodied the popular traditions of the English kings. It is in William above all others that we see the new tendency of English literature. In himself, as in his work, he marks the fusion of the conquerors and the conquered, for he was of both English and Norman parentage, and his sympathies were as divided as his blood. The form and style of his writings show the influence of those classical studies which were now reviving throughout Christendom. Monk as he is, William discards the older ecclesiastical models and the annalistic form. Events are grouped together with no strict reference to time,

while the lively narrative flows rapidly and loosely along, with constant breaks of digression over the general history of Europe and the church. It is in this change of historic spirit that William takes his place as first of the more statesmanlike and philosophic school of historians who began to arise in direct connection with the court, and among whom the author of the chronicle which commonly bears the name of "Benedict of Peterborough," with his continuator, Roger of Howden, are the most conspicuous. Both held judicial offices under Henry the Second, and it is to their position at court that they owe the fullness and accuracy of their information as to affairs at home and abroad, as well as their copious supply of official documents. What is noteworthy in these writers is the purely political temper with which they regard the conflict of church and state in their time. But the English court had now become the center of a distinctly secular literature. The treatise of Ranulf de Glanvill, a justiciar of Henry the Second, is the earliest work on English law, as that of the royal treasurer, Richard Fitz-Neal, on the exchequer is the earliest on English government.

141. Still more distinctly secular than these, though the work of a priest who claimed to be a bishop, are the writings of Gerald de Barri. Gerald is the father of our popular literature as he is the originator of the political and ecclesiastical pamphlet. Welsh blood (as his usual name of Giraldus Cambrensis implies) mixed with Norman in his veins, and something of the restless Celtic fire runs alike through his writings

and his life. A busy scholar at Paris, a reforming archdeacon in Wales, the wittiest of court chaplains, the most troublesome of bishops, Gerald became the gayest and most amusing of all the authors of his time. In his hands the stately Latin tongue took the vivacity and picturesqueness of the jongleur's verse. Reared as he had been in classic studies, he threw pedantry contemptuously aside. "It is better to be dumb than not to be understood," is his characteristic apology for the novelty of his style: "New times require new fashions, and so I have thrown utterly aside the old and dry method of some authors and aimed at adopting the fashion of speech which is actually in vogue to-day." His tract on the conquest of Ireland and his account of Wales, which are in fact reports of two journeys undertaken in those countries with John and Archbishop Baldwin, illustrate his rapid faculty of careless observation, his audacity, and his good sense. They are just the sort of lively, dashing letters that we find in the correspondence of a modern journal. There is the same modern tone in his political pamphlets; his profusion of jests, his fund of anecdote, the aptness of his quotations, his natural shrewdness and critical acumen, the clearness and vivacity of his style, are backed by a fearlessness and impetuosity that made him a dangerous assailant even to such a ruler as Henry the Second. The invectives in which Gerald poured out his resentment against the Angevins are the cause of half the scandal about Henry and his sons which has found its way into history. His life was wasted in an ineffectual attempt to secure the see of St. David's,

but his pungent pen played its part in rousing the nation to its later struggle with the crown.

142. A tone of distinct hostility to the church developed itself almost from the first among the singers of romance. Romance had long before taken root in the court of Henry the First, where under the patronage of Queen Maud the dreams of Arthur, so long cherished by the Celts of Brittany, and which had traveled to Wales in the train of the exile Rhys ap Tewdor, took shape in the history of the Britons by Geoffry of Monmouth. Myth, legend, tradition, the classical pedantry of the day, Welsh hopes of future triumph over the Saxon, the memories of the crusades and of the world-wide dominion of Charles the Great, were mingled together by this daring fabulist in a work whose popularity became at once immense. Alfred of Beverly transferred Geoffry's inventions into the region of sober history, while two Norman *trouveurs*, Gaimar and Wace, translated them into French verse. So complete was the credence they obtained that Arthur's tomb at Glastonbury was visited by Henry the Second while the child of his son Geoffry and of Constance of Brittany received the name of the Celtic hero. Out of Geoffry's creation grew little by little the poem of the "Table Round." Brittany, which had mingled with the story of Arthur the older and more mysterious legend of the enchanter Merlin, lent that of Lancelot to the wandering minstrels of the day, who molded it as they wandered from hall to hall into the familiar tale of knighthood wrested from its loyalty by the love of woman. The stories of Tristram and Ga-

wayne, at first as independent as that of Lancelot, were drawn with it into the whirlpool of Arthurian romance; and when the church, jealous of the popularity of the legends of chivalry, invented as a counteracting influence the poem of the "Sacred Dish," the San Graal, which held the blood of the cross invisible to all eyes but those of the pure in heart, the genius of a court poet, Walter de Map, wove the rival legends together, sent Arthur and his knights wandering over sea and land in quest of the San Graal, and crowned the work by the figure of Sir Galahad, the type of ideal knighthood, without fear and without reproach.

143. Walter stands before us as the representative of a sudden outburst of literary, social, and religious criticism which followed this growth of romance and the appearance of a freer historical tone in the court of the two Henrys. Born on the Welsh border, a student at Paris, a favorite with the king, a royal chaplain, justiciary, and ambassador, his genius was as various as it was prolific. He is as much at his ease in sweeping together the chit-chat of the time in his "Courtly Trifles" as in creating the character of Sir Galahad. But he only rose to his fullest strength when he turned from the fields of romance to that of church reform and embodied the ecclesiastical abuses of his day in the figure of his "Bishop Goliath." The whole spirit of Henry and his court in their struggle with Thomas is reflected and illustrated in the apocalypse and confession of this imaginary prelate. Picture after picture strips the veil from the corruption of the mediæval church, its indolence,

its thirst for gain, its secret immorality. The whole body of the clergy from pope to hedge-priest is painted as busy in the chase for gain; what escapes the bishop is snapped up by the archdeacon, what escapes the archdeacon is nosed and hunted down by the dean, while a host of minor officials prowl hungrily around these greater marauders. Out of the crowd of figures which fills the canvas of the satirist, pluralist vicars, abbots "purple as their wines," monks feeding and chattering together like parrots in the refectory, rises the Philistine bishop, light of purpose, void of conscience, lost in sensuality, drunken, unchaste, the Goliath who sums up the enormities of all, and against whose forehead this new David slings his sharp pebble of the brook

144. It would be in the highest degree unjust to treat such invectives as sober history, or to judge the church of the twelfth century by the taunts of Walter de Map. What writings such as his bring home to us is the upgrowth of a new literary class, not only standing apart from the church, but regarding it with a hardly disguised ill-will, and breaking down the unquestioning reverence with which men had till now regarded it by their sarcasm and abuse. The tone of intellectual contempt which begins with Walter de Map goes deepening on till it culminates in Chaucer and passes into the open revolt of the Lollard. But even in these early days we can hardly doubt that it gave Henry strength in his contest with the church. So little, indeed, did he suffer from the murder of Archbishop Thomas that the years which follow it form the grandest portion of his reign.

While Rome was threatening excommunication he added a new realm to his dominions. Ireland had long since fallen from the civilization and learning which its missionaries brought in the seventh century to the shores of Northumbria. Every element of improvement or progress which had been introduced into the island disappeared in the long and desperate struggle with the Danes. The coast-towns which the invaders founded, such as Dublin or Waterford, remained Danish in blood and manners and at feud with the Celtic tribes around them, though sometimes forced by the fortunes of war to pay tribute and to accept the overlordship of the Irish kings. It was through these towns, however, that the intercourse with England which had ceased since the eighth century was to some extent renewed in the eleventh. Cut off from the church of the island by national antipathy, the Danish coast-cities applied to the see of Canterbury for the ordination of their bishops, and acknowledged a right of spiritual supervision in Lanfranc and Anselm. The relations thus formed were drawn closer by a slave-trade between the two countries which the Conqueror and Bishop Wulfstan succeeded for a time in suppressing at Bristol, but which appears to have quickly revived. At the time of Henry the Second's accession Ireland was full of Englishmen who had been kidnapped and sold into slavery in spite of royal prohibitions and the spiritual menaces of the English church. The slave-trade afforded a legitimate pretext for war, had a pretext been needed by the ambition of Henry the Second; and within a few months

of that king's coronation John of Salisbury was dispatched to obtain the papal sanction for an invasion of the island. The enterprise, as it was laid before Pope Hadrian IV., took the color of a crusade. The isolation of Ireland from the general body of Christendom, the absence of learning and civilization, the scandalous vices of its people, were alleged as the grounds of Henry's action. It was the general belief of the time that all islands fell under the jurisdiction of the papal see, and it was as a possession of the Roman Church that Henry sought Hadrian's permission to enter Ireland. His aim was "to enlarge the bounds of the church, to restrain the progress of vices, to correct the manners of its people and to plant virtue among them, and to increase the Christian religion." He engaged to "subject the people to laws, to extricate vicious customs, to respect the rights of the native churches, and to enforce the payment of Peter's pence" as a recognition of the overlordship of the Roman see. Hadrian by his bull approved the enterprise as one prompted by "the ardor of faith and love of religion," and declared his will that the people of Ireland should receive Henry with all honor, and revere him as their lord.

145. The papal bull was produced in a great council of the English baronage, but the opposition was strong enough to force on Henry a temporary abandonment of his designs, and fourteen years passed before the scheme was brought to life again by the flight of Dermod, King of Leinster, to Henry's court. Dermod had been driven from his dominions

in one of the endless civil wars which devastated the island; he now did homage for his kingdom to Henry, and returned to Ireland with promises of aid from the English knighthood. He was followed in 1169 by Robert Fitz-Stephen, a son of the Constable of Cardigan, with a little band of 140 knights, 60 men-at-arms, and 300 or 400 Welsh archers. Small as was the number of the adventurers, their horses and arms proved irresistible by the Irish kernes; a sally of the men of Wexford was avenged by the storm of their town; the Ossory clans were defeated with a terrible slaughter; and Dermod, seizing a head from the heap of trophies which his men piled at his feet, tore off in savage triumph its nose and lips with his teeth. The arrival of fresh forces heralded the coming of Richard of Clare, Earl of Pembroke and Striguil, a ruined baron who bore the nickname of Strongbow, and who, in defiance of Henry's prohibition, landed near Waterford with a force of 1500 men as Dermod's mercenary. The city was at once stormed, and the united forces of the earl and king marched to the siege of Dublin. In spite of a relief attempted by the King of Connaught, who was recognized as over-king of the island by the rest of the tribes, Dublin was taken by surprise; and the marriage of Richard with Eva, Dermod's daughter, left the earl on the death of his father-in-law, which followed quickly on these successes, master of his kingdom of Leinster. The new lord had soon, however, to hurry back to England and appease the jealousy of Henry by the surrender of Dublin to the crown, by doing homage for

Leinster as an English lordship, and by accompanying the king in 1171 on a voyage to the new dominion which the adventurers had won.

146. Had fate suffered Henry to carry out his purpose, the conquest of Ireland would now have been accomplished. The King of Connaught indeed and the chiefs of Ulster refused him homage, but the rest of the Irish tribes owned his suzerainty; the bishops in synod at Cashel recognized him as their lord; and he was preparing to penetrate to the north and west, and to secure his conquest by a systematic erection of castles throughout the country, when the need of making terms with Rome, whose interdict threatened to avenge the murder of Archbishop Thomas, recalled him in the spring of 1172 to Normandy. Henry averted the threatened sentence by a show of submission. The judicial provisions in the constitutions of Clarendon were in form annulled, and liberty of election was restored in the case of bishoprics and abbacies. In reality, however, the victory rested with the king. Throughout his reign ecclesiastical appointments remained practically in his hands, and the king's court asserted its power over the spiritual jurisdiction of the bishops. But the strife with Thomas had roused into active life every element of danger which surrounded Henry—the envious dread of his neighbors, the disaffection of his own house, the disgust of the barons at the repeated blows which he leveled at their military and judicial power. The king's withdrawal of the office of sheriff from the great nobles of the shire to intrust it to the lawyers and courtier

who already furnished the staff of the royal judges quickened the resentment of the baronage into revolt. His wife Eleanor, now parted from Henry by a bitter hate, spurred her eldest son, whose coronation had given him the title of king, to demand possession of the English realm. On his father's refusal the boy sought refuge with Lewis of France, and his flight was the signal for a vast rising. France, Flanders, and Scotland joined in league against Henry; his younger sons, Richard and Geoffry, took up arms in Aquitaine, while the Earl of Leicester sailed from Flanders with an army of mercenaries to stir up England to revolt. The earl's descent ended in a crushing defeat near St. Edmundsbury at the hands of the king's justiciars; but no sooner had the French king entered Normandy and invested Rouen than the revolt of the baronage burst into flame. The Scots crossed the border, Roger Mowbray rose in Yorkshire, Ferrars, Earl of Derby, in the midland shires, Hugh Bigod in the eastern counties, while a Flemish fleet prepared to support the insurrection by a descent upon the coast. The murder of Archbishop Thomas still hung round Henry's neck, and his first act in hurrying to England to meet these perils in 1174 was to prostrate himself before the shrine of the new martyr and to submit to a public scourging in expiation of his sin. But the penance was hardly wrought when all danger was dispelled by a series of triumphs. The King of Scotland, William the Lion, surprised by the English under cover of a mist, fell into the hands of the justiciary, Ranulf de

Glanvill, and at the retreat of the Scots the English rebels hastened to lay down their arms. With the army of mercenaries which he had brought over sea Henry was able to return to Normandy, to raise the siege of Rouen, and to reduce his sons to submission.

147. Through the next ten years Henry's power was at its height. The French king was cowed. The Scotch king bought his release in 1175 by owning Henry's suzerainty. The Scotch barons did homage, and English garrisons manned the strongest of the Scotch castles. In England itself church and baronage were alike at the king's mercy. Eleanor was imprisoned, and the younger Henry, though always troublesome, remained powerless to do harm. The king availed himself of this rest from outer foes to push forward his judicial and administrative organization. At the outset of his reign he had restored the king's court and the occasional circuits of its justices; but the revolt was hardly over when in 1176 the Assize of Northampton rendered this institution permanent and regular by dividing the kingdom into six districts, to each of which three itinerant judges were assigned. The circuits thus marked out correspond roughly with those that still exist. The primary object of these circuits was financial; but the rendering of the king's justice went on side by side with the exaction of the king's dues, and this carrying of justice to every corner of the realm was made still more effective by the abolition of all feudal exemptions from the royal jurisdiction. The chief danger of the new system

lay in the opportunities is afforded to judicial corruption; and so great were its abuses, that in 1176 Henry was forced to restrict for a while the number of justices to five, and to reserve appeals from their court to himself in council. The court of appeal which was thus created, that of the king in council, gave birth as time went on to tribunal after tribunal. It is from it that the judicial powers now exercised by the Privy Council are derived, as well as the equitable jurisdiction of the chancellor. In the next century it became the great council of the realm, and it is from this great council, in its two disinct capacities, that the Privy Council drew its legislative, and the House of Lords its judicial character. The Court of Star Chamber and the Judicial Committee of the Privy Council are later offshoots of Henry's court of appeal. From the judicial organization of the realm, he turned to its military organization, and in 1181 an Assize of Arms restored the national fyrd or militia to the place which it had lost at the conquest. The substitution of scutage for military service had freed the crown from its dependence on the baronage and its feudal retainers; the Assize of Arms replaced this feudal organization by the older obligation of every freeman to serve in defense of the realm. Every knight was now bound to appear in coat of mail and with shield and lance, every freeholder with lance and hauberk, every burgess and poorer freeman with lance and helmet, at the king's call. The levy of an armed nation was thus placed wholly at the disposal of the crown for purposes of defense.

148. A fresh revolt of the younger Henry, with his brother Geoffry, in 1183 hardly broke the current of Henry's success. The revolt ended with the young king's death, and in 1186 this was followed by the death of Geoffry. Richard, now his father's heir, remained busy in Aquitaine, and Henry was himself occupied with plans for the recovery of Jerusalem, which had been taken by Saladin in 1187. The "Saladin tithe," a tax levied on all goods and chattels, and memorable as the first English instance of taxation on personal property, was granted to the king at the opening of 1188 to support his intended crusade. But the crusade was hindered by strife which broke out between Richard and the new French king, Philip; and while Henry strove in vain to bring about peace, a suspicion that he purposed to make his youngest son, John, his heir drove Richard to Philip's side. His father, broken in health and spirits, negotiated fruitlessly through the winter, but with the spring of 1189 Richard and the French king suddenly appeared before Le Mans. Henry was driven in headlong flight from the town. Tradition tells how from a height where he halted to look back on the burning city so dear to him as his birthplace, the king hurled his curse against God: "Since thou hast taken from me the town I loved best, where I was born and bred, and where my father lies buried, I will have my revenge on thee too—I will rob thee of that thing thou lovest most in me." If the words were uttered, they were the frenzied words of a dying man. Death drew Henry to the home of his race, but Tours fell as he lay at Saumur,

and the hunted king was driven to beg mercy from his foes. They gave him the list of the conspirators against him; at its head was the name of one, his love for whom had brought with it the ruin that was crushing him, his youngest son, John. "Now," he said, as he turned his face to the wall, "let things go as they will—I care no more for myself or for the world." The end was come at last. Henry was borne to Chinon by the silvery waters of Vienne, and muttering, "Shame, shame on a conquered king," passed sullenly away.

CHAPTER IV.

THE ANGEVIN KINGS

1189–1204.

149. THE fall of Henry the Second only showed the strength of the system he had built up on this side the sea. In the hands of the justician, Ranulf de Glanvill, England remained peaceful through the last stormy months of his reign, and his successor Richard found it undisturbed when he came for his crowning in the autumn of 1189. Though born at Oxford, Richard had been bred in Aquitaine; he was an utter stranger to his realm, and his visit was simply for the purpose of gathering money for a crusade. Sheriffdoms, bishoprics, were sold; even the supremacy over Scotland was bought back again by William the Lion; and it was with the wealth which these measures won that Richard made his way in 1190 to Marseilles and sailed thence to Messina. Here he

found his army and a host under King Philip of France; and the winter was spent in quarrels between the two kings and a strife between Richard and Tancred of Sicily. In the spring of 1191 his mother, Eleanor, arrived with ill news from England. Richard had left the realm under the regency of two bishops. Hugh Puiset of Durham and William Longchamp of Ely; but before quitting France he had intrusted it wholly to the latter, who stood at the head of church and state as at once justiciar and papal legate. Longchamp was loyal to the king, but his exactions and scorn of Englishmen roused a fierce hatred among the baronage, and this hatred found a head in John. While richly gifting his brother with earldoms and lands, Richard had taken oath from him that he would quit England for three years. But tidings that the justiciar was striving to secure the succession of Arthur, the child of his elder brother Geoffry and of Constance of Brittany, to the English crown at once recalled John to the realm, and peace between him and Longchamp was only preserved by the influence of the queen-mother, Eleanor. Richard met this news by sending William of Coutances, the Archbishop of Rouen, with full but secret powers to England. On his landing in the summer of 1191, William found the country already in arms. No battle had been fought, but John had seized many of the royal castles, and the indignation stirred by Longchamp's arrest of Archbishop Geoffry of York, a bastard son of Henry II., called the whole baronage to the field. The nobles swore fealty to John as Richard's successor, and William of Cou-

tances saw himself forced to show his commission as justiciar, and to assent to Longchamp's exile from the realm.

150. The tidings of this revolution reached Richard in the Holy Land. He had landed at Acre in the summer and joined with the French king in its siege. But on the surrender of the town Philip at once sailed home, while Richard, marching from Acre to Joppa, pushed inland to Jerusalem. The city, however, was saved by false news of its strength, and through the following winter and the spring of 1192 the king limited his activity to securing the fortresses of southern Palestine. In June he again advanced on Jerusalem, but the revolt of his army forced him a second time to fall back, and news of Philip's intrigues with John drove him to abandon further efforts. There was need to hasten home. Sailing, for speed's sake, in a merchant vessel, he was driven by a storm on the Adriatic coast, and while journeying in disguise overland arrested in December at Vienna by his personal enemy, Duke Leopold of Austria. Through the whole year John, in disgust at his displacement by William of Coutances, had been plotting fruitlessly with Philip. But the news of this capture at once roused both to activity. John secured his castles and seized Windsor, giving out that the king would never return; while Philip strove to induce the emperor, Henry the Sixth, to whom the Duke of Austria had given Richard up, to retain his captive. But a new influence now appeared on the scene. The see of Canterbury was vacant, and Richard from his prison

bestowed it on Hubert Walter, the Bishop of Salisbury, a nephew of Ranulf de Glanvill and who had acted as secretary to Bishop Longchamp. Hubert's ability was seen in the skill with which he held John at bay and raised the enormous ransom which Henry demanded, the whole people, clergy as well as lay, paying a fourth of their movable goods. To gain his release, however, Richard was forced, besides this payment of ransom, to do homage to the emperor, not only for the kingdom of Arles with which Henry invested him, but for England itself, whose crown he resigned into the emperor's hands and received back as a fief. But John's open revolt made even these terms welcome, and Richard hurried to England in the spring of 1194. He found the rising already quelled by the decision with which the primate led an army against John's castles, and his landing was followed by his brother's complete submission.

151. The firmness of Hubert Walter had secured order in England, but over-sea Richard found himself face to face with dangers which he was too clear-sighted to undervalue. Destitute of his father's administrative genius, less ingenious in his political conceptions than John, Richard was far from being a mere soldier. A love of adventure, a pride in sheer physical strength, here and there a romantic generosity jostled roughly with the craft, the unscrupulousness, the violence of his race; but he was at heart a statesman, cool and patient in the execution of his plans as he was bold in their conception. "The devil is loose; take care of your-

self," Philip had written to John at the news of Richard's release. In the French king's case a restless ambition was spurred to action by insults which he had borne during the crusade. He had availed himself of Richard's imprisonment to invade Normandy, while the lords of Aquitaine rose in open revolt under the troubadour, Bertrand de Born. Jealousy of the rule of strangers, weariness of the turbulence of the mercenary soldiers of the Angevins or of the greed and oppression of their financial administration, combined with an impatience of their firm government and vigorous justice to alienate the nobles of their provinces on the Continent. Loyalty among the people there was none; even Anjou, the home of their race, drifted toward Philip as steadily as Poitou. But in warlike ability Richard was more than Philip's peer. He held him in check on the Norman frontier and surprised his treasure at Freteval while he reduced to submission the rebels of Aquitaine. Hubert Walter gathered vast sums to support the army of mercenaries which Richard led against his foes. The country groaned under its burdens, but it owned the justice and firmness of the primate's rule, and the measures which he took to procure money with as little oppression as might be proved steps in the education of the nation in its own self-government. The taxes were assessed by a jury of sworn knights at each circuit of the justices; the grand jury of the county was based on the election of knights in the hundred-courts; and the keeping of pleas of the crown was taken from the sheriff and given to a

newly-elected officer, the coroner. In these elections were found at a later time precedents for parliamentary representation; in Hubert's mind they were doubtless intended to do little more than reconcile the people to the crushing taxation. His work poured a million into the treasury, and enabled Richard during a short truce to detach Flanders by his bribes from the French alliance, and to unite the counts of Chartres, Champagne, and Boulogne with the Bretons in a revolt against Philip. He won a yet more valuable aid in the election of his nephew Otto of Saxony, a son of Henry the Lion, to the German throne, and his envoy William Longchamp knitted an alliance which would bring the German lances to bear on the King of Paris.

152. But the security of Normandy was requisite to the success of these wider plans, and Richard saw that its defense could no longer rest on the loyalty of the Norman people. His father might trace his descent through Matilda from the line of Rolf, but the Angevin ruler was in fact a stranger to the Norman. It was impossible for a Norman to recognize his duke with any real sympathy in the Angevin prince whom he saw moving along the border at the head of Brabançon mercenaries in whose camp the old names of the Norman baronage were missing and Merchadé, a Gascon ruffian, held supreme command. The purely military site that Richard selected for a new fortress with which he guarded the border showed his realization of the fact that Normandy could now only be held by force of arms. As a monument of warlike skill his "Saucy Castle,"

Château Gaillard, stands first among the fortresses of the middle ages. Richard fixed its site where the Seine bends suddenly at Gaillon in a great semicircle to the north, and where the valley of Les Andelys breaks the line of the chalk cliffs along its banks. Blue masses of woodland crown the distant hills; within the river curve lies a dull reach of flat meadow, round which the Seine, broken with green islets and dappled with the gray and blue of the sky, flashes like a silver bow on its way to Rouen. The castle formed part of an intrenched camp which Richard designed to cover his Norman capital. Approach by the river was blocked by a stockade and a bridge of boats, by a fort on the islet in mid-stream, and by a tower which the king built in the valley of the Gambon, then an impassable marsh. In the angle between this valley and the Seine, on a spur of the chalk hills which only a narrow neck of land connects with the general plateau, rose at the height of 300 feet above the river the crowning fortress of the whole. Its outworks and the walls which connected it with the town and stockade have for the most part gone, but time and the hand of man have done little to destroy the fortifications themselves—the fosse, hewn deep into the solid rock, with casemates hollowed out along its sides, the fluted walls of the citadel, the huge donjon looking down on the brown roofs and huddled gables of Les Andelys. Even now in its ruin we can understand the triumphant outburst of its royal builder as he saw it rising against the sky: "How pretty a child is mine, this child of but one year old!"

153. The easy reduction of Normandy on the fall of Château Gaillard at a later time proved Richard's foresight; but foresight and sagacity were mingled in him with a brutal violence and a callous indifference to honor. "I would take it, were its walls of iron," Philip exclaimed in wrath as he saw the fortress rise. "I would hold it, were its walls of butter," was the defiant answer of his foe. It was church land and the Archbishop of Rouen laid Normandy under interdict at its seizure, but the king met the interdict with mockery, and intrigued with Rome till the censure was withdrawn. He was just as defiant of a "rain of blood," whose fall scared his courtiers. "Had an angel from heaven bid him abandon his work," says a cool observer, "he would have answered with a curse." The twelve months' hard work, in fact, by securing the Norman frontier set Richard free to deal his long-planned blow at Philip. Money only was wanting, for England had at last struck against the continued exactions. In 1198 Hugh, Bishop of Lincoln, brought nobles and bishops to refuse a new demand for the maintenance of foreign soldiers, and Hubert Walter resigned in despair. A new justiciar, Geoffry Fitz-Peter, Earl of Essex, extorted some money by a harsh assize of the forests; but the exchequer was soon drained, and Richard listened with more than the greed of his race to rumors that a treasure had been found in the fields of the Limousin. Twelve knights of gold seated round a golden table were the find, it was said, of the lord of Chaluz. Treasure-trove at any rate there was, and in the spring of 1199 Richard prowled

around the walls. But the castle held stubbornly out till the king's greed passed into savage menace. He would hang all, he swore—man, woman, the very child at the breast. In the midst of his threats an arrow from the walls struck him down. He died as he had lived, owning the wild passion which for seven years past had kept him from confession lest he should be forced to pardon Philip, forgiving with kingly generosity the archer who had shot him.

154. The Angevin dominion broke to pieces at his death. John was acknowledged king in England and Normandy, Aquitaine was secured for him by its duchess, his mother, Eleanor; but Anjou, Maine, and Touraine did homage to Arthur, the son of his elder brother Geoffry, the late Duke of Brittany. The ambition of Philip, who protected his cause, turned the day against Arthur; the Angevins rose against the French garrisons with which the French king practically annexed the country, and in May, 1200, a treaty between the two kings left John master of the whole dominion of his house. But fresh troubles broke out in Poitou; Philip, on John's refusal to answer the charges of the Poitevin barons at his court, declared in 1202 his fiefs forfeited; and Arthur, now a boy of fifteen, strove to seize Eleanor in the castle of Mirabeau. Surprised at its siege by a rapid march of the king, the boy was taken prisoner to Rouen, and murdered there in the spring of 1203, as men believed, by his uncle's hand. This brutal outrage at once roused the French provinces in revolt, while Philip sentenced John to forfeiture

as a murderer and marched straight on Normandy. The case with which the conquest of the duchy was effected can only be explained by the utter absence of any popular resistance on the part of the Normans themselves. Half a century before the sight of a Frenchman in the land would have roused every peasant to arms from Avranches to Dieppe. But town after town surrendered at the mere summons of Philip, and the conquest was hardly over before Normandy settled down into the most loyal of the provinces of France. Much of this was due to the wise liberality with which Philip met the claims of the towns to independence and self-government, as well as to the overpowering force and military ability with which the conquest was effected. But the utter absence of opposition sprang from a deeper cause. To the Norman his transfer from John to Philip was a mere passing from one foreign master to another, and foreigner for foreigner, Philip was the less alien of the two. Between France and Normandy there had been as many years of friendship as of strife; between Norman and Angevin lay a century of bitterest hate. Moreover, the subjection to France was the realization, in fact, of a dependence which had always existed in theory; Philip entered Rouen as the over-lord of its dukes, while the submission to the house of Anjou had been the most humiliating of all submissions, the submission to an equal. In 1204 Philip turned on the south with as startling a success. Maine, Anjou, and Touraine passed with little resistance into his hands, and the death of Eleanor was followed by

the submission of the bulk of Aquitaine. Little was left save the country south of the Garonne; and from the lordship of a vast empire that stretched from the Tyne to the Pyrenees John saw himself reduced at a blow to the realm of England.

BOOK III.

THE CHARTER.

1204-1291.

AUTHORITIES FOR BOOK III.

155. A CHRONICLE drawn up at the monastery of Barnwell near Cambridge, and which has been embodied in the "Memoriale" of Walter of Coventry, gives us a contemporary account of the period from 1201 to 1225. We possess another contemporary annalist for the same period in Roger of Wendover, the first of the published chroniclers of St. Albans, whose work extends to 1235. Though full of detail, Roger is inaccurate, and he has strong royal and ecclesiastical sympathies; but his chronicle was subsequently revised in a more patriotic sense by another monk of the same abbey, Matthew Paris, and continued in the "Greater Chronicle" of the latter.

156. Matthew has left a parallel but shorter account of the time in his "Historia Anglorum" (from the conquest to 1253). He is the last of the great chroniclers of his house; for the chronicles of Rishanger, his successor at St. Albans, and of the obscurer annalists who worked on that abbey till the Wars of the Roses, are little save scant and lifeless jottings of events which become more and more

local as time goes on. The annals of the abbeys of Waverley, Dunstable, and Burton, which have been published in the "Annales Monastici" of the Rolls Series add important details for the reigns of John and Henry III. Those of Melrose, Osney, and Lanercost help us in the close of the latter reign, where help is especially welcome. For the Baron's war we have besides these the royalist chronicle of Wykes, Rishanger's fragment published by the Cam den Society, and a chronicle of Bartholomew de Cotton, which is contemporary from 1264 to 1298. Where the chronicles fail, however, the public documents of the realm become of high importance. The "Royal Letters" (1216–1272) which have been printed from the Patent Rolls by Professor Shirley (Rolls Series) throw great light on Henry's politics.

157. Our municipal history during this period is fully represented by that of London. For the general history of the capital the Rolls Series has given us its "Liber Albus" and "Liber Custumarum," while a vivid account of its communal revolution is to be found in the "Liber de Antiquis Legibus" published by the Camden Society. A store of documents will be found in the Charter Rolls published by the Record Commission, in Brady's work on "English Boroughs," and in the "Ordinances of English Guilds," published with a remarkable preface from the pen of Dr. Brentano by the Early English Text Society. For our religious and intellectual history materials now become abundant. Grosseteste's Letters throw light on the state of the church and its relations with Rome; those of Adam

Marsh give us interesting details of Earl Simon's relation to the religious movement of his day; and Eccleston's tract on the arrival of the friars is embodied in the "Monumenta Franciscana." For the universities we have the collection of materials edited by Mr. Anstey under the name of "Munimenta Academica."

158. With the close of Henry's reign our directly historic materials become scantier and scantier. The monastic annals we have before mentioned are supplemented by the jejune entries of Trivet and Murimuth, by the "Annales Angliæ et Scotiæ," by Rishanger's Chronicle, his "Gesta Edwardi Primi," and three fragments of his annals (all published in the Rolls Series). The portion of the so-called "Walsingham's History" which relates to this period is now attributed by Mr. Riley to Rishanger's hand. For the wars in the north and in the west we have no records from the side of the conquered. The social and physical state of Wales, indeed is illustrated by the "Itinerarium" which Gerald du Barri drew up in the twelfth century, but Scotland has no contemporary chronicles for this period; the jingling rhymes of Blind Harry are 200 years later than his hero, Wallace. We possess, however, a copious collection of state papers, in the "Rotuli Scotiæ," the "Documents and Records Illustrative of the History of Scotland" which were edited by Sir F. Palgrave, as well as in Rymer's Fœdera. For the history of our Parliament the most noteworthy materials have been collected by Professor Stubbs in his Select Charters, and he has added to them a short

treatise called "Modus Tenendi Parliamenta," which may be taken as a fair account of its actual state and powers in the fourteenth century.

CHAPTER I.

JOHN.

1214-1216.

159. THE loss of Normandy did more than drive John from the foreign dominions of his race; it set him face to face with England itself. England was no longer a distant treasure-house from which gold could be drawn for wars along the Epte or the Loire, no longer a possession to be kept in order by wise ministers and by flying visits from its foreign king. Henceforth it was his home. It was to be ruled by his personal and continuous rule. People and sovereign were to know each other, to be brought into contact with each other as they had never been brought since the conquest of the Norman. The change in the attitude of the king was the more momentous that it took place at a time when the attitude of the country itself was rapidly changing. The Norman conquest had given a new aspect to the land. A foreign king ruled it through foreign ministers. Foreign nobles were quartered in every manor. A military organization of the country changed while it simplified the holding of every estate. Huge castles of white stone bridled town and country; huge stone minsters told how the

Norman had bridled even the church. But the change was in great measure an external one. The real life of the nation was little affected by the shock of the conquest. English institutions—the local, judicial, and administrative forms of the country—were the same as of old. Like the English tongue they remained practically unaltered. For a century after the conquest only a few new words crept in from the language of the conquerors; and so entirely did the spoken tongue of the nation at large remain unchanged that William himself tried to learn it, that he might administer justice to his subjects. Even English literature, banished as it was from the court of the stranger and exposed to the fashionable rivalry of Latin scholars, survived not only in religious works, in poetic paraphrases of gospels and psalms, but in the great monument of our prose, the English Chronicle. It was not till the miserable reign of Stephen that the Chronicle died out in the Abbey of Peterborough. But the "Sayings of Ælfred" show a native literature going on through the reign of Henry the Second, and the appearance of a great work of English verse coincides, in point of time, with the return of John to his island realm. "There was a priest in the land whose name was Layamon; he was the son of Leovenath; may the Lord be gracious to him! He dwelt at Earnley, a noble church on the bank of Severn (good it seemed to him!) near Radstone, where he read books. It came to mind to him, and in his chiefest thought, that he would tell the noble deeds of England, what the men were named and

whence they came who first had English land." Journeying far and wide over the country, the priest of Earnley found Bæda and Wace, the books too of St. Albin and St. Austin. "Layamon laid down these books and turned the leaves; he beheld them lovingly; may the Lord be gracious to him! Pen he took with finger and wrote a book-skin, and the true words set together, and compressed the three books into one." Layamon's church is now that of Areley, near Bewdley in Worcestershire; his poem was in fact an expansion of Wace's "Brut," with insertions from Bæda. Historically it is worthless; but as a monument of our language it is beyond all price. In more than 30,000 lines not more than fifty Norman words are to be found. Even the old poetic tradition remains the same. The alliterative meter of the earlier verse is still only slightly affected by rhyming terminations; the similes are the few natural similes of Cædmon; the battle-scenes are painted with the same rough, simple joy.

160. Instead of crushing England indeed the conquest did more than any event that had gone before to build up an English people. All local distinctions, the distinction of Saxon from Mercian, of both from Northumbrian, died away beneath the common pressure of the stranger. The conquest was hardly over when we see the rise of a new national feeling, of a new patriotism. In his quiet cell at Worcester the monk Florence strives to palliate, by excuses of treason or the weakness of rulers, the defeats of Englishmen by the Danes. Ælfred, the great name of the English past, gathers round him

a legendary worship, and the "Sayings of Ælfred" embody the ideal of an English king. We see the new vigor drawn from this deeper consciousness of national unity in a national action which began as soon as the conquest had given place to strife among the conquerors. A common hostility to the conquering baronage gave the nation leaders in its foreign sovereigns, and the sword which had been sheathed at Senlac was drawn for triumphs which avenged it. It was under William the Red that English soldiers shouted scorn at the Norman barons who surrendered at Rochester. It was under Henry the First that an English army faced Duke Robert and his foreign knighthood when they landed for a fresh invasion, "not fearing the Normans." It was under the same great king that Englishmen conquered Normandy in turn on the field of Tenchebray. This overthrow of the conquering baronage, this union of the conquered with the king, brought about the fusion of the conquerors in the general body of the English people. As early as the days of Henry the Second the descendants of Norman and Englishman had become indistinguishable. Both found a bond in a common English feeling and English patriotism; in a common hatred of the Angevin and Poitevin "foreigners" who streamed into England in the wake of Henry and his sons. Both had profited by the stern discipline of the Norman rule. The wretched reign of Stephen alone broke the long peace, a peace without parallel elsewhere, which in England stretched from the settlement of the conquest to the return of John.

Of her kings' forays along Norman or Aquitanian borders England heard little; she cared less. Even Richard's crusade woke little interest in his island realm. What England saw in her kings was "the good peace they made in the land." And with peace came a stern but equitable rule, judicial and administrative reforms that carried order and justice to every corner of the land, a wealth that grew steadily in spite of heavy taxation, an immense outburst of material and intellectual activity.

161. It was with a new English people, therefore, that John found himself face to face. The nation which he fronted was a nation quickened with a new life and throbbing with a new energy. Not least among the signs of this energy was the upgrowth of our universities. The establishment of the great schools which bore this name was everywhere throughout Europe a special mark of the impulse which Christendom gained from the Crusades. A new fervor of study sprang up in the West from its contact with the more cultured East. Travelers like Adelard of Bath brought back the first rudiments of physical and mathematical science from the schools of Cordova or Bagdad. In the twelfth century a classical revival restored Cæsar and Virgil to the list of monastic studies, and left its stamp on the pedantic style, the profuse classical quotations of writers like William of Malmesbury or John of Salisbury. The scholastic philosophy sprang up in the schools of Paris. The Roman law was revived by the imperialist doctors of Bologna. The long mental inactivity of feudal Europe broke up

like ice before a summer's sun. Wandering teachers such as Lanfranc or Anselm crossed sea and land to spread the new power of knowledge. The same spirit of restlessness, of inquiry, of impatience with the older traditions of mankind, either local or intellectual, that drove half Christendom to the tomb of its Lord crowded the roads with thousands of young scholars hurrying to the chosen seats where teachers were gathered together. A new power sprang up in the midst of a world which had till now recognized no power but that of sheer brute force. Poor as they were, sometimes even of servile race, the wandering scholars who lectured in every cloister were hailed as "masters" by the crowds at their feet. Abelard was a foe worthy of the threats of councils, of the thunders of the church. The teaching of a single Lombard was of note enough in England to draw down the prohibition of a king.

162. Vacarius was probably a guest in the court of Archbishop Theobald, where Thomas of London and John of Salisbury were already busy with the study of the civil law. But when he opened lectures on it at Oxford he was at once silenced by Stephen, who was at that moment at war with the church and jealous of the power which the wreck of the royal authority was throwing into Theobald's hands. At this time Oxford stood in the first rank among English towns. Its town church of St. Martin rose from the midst of a huddled group of houses, girded in with massive walls, that lay along the dry upper ground of a low peninsula between the streams of Cherwell and the Thames. The

ground fell gently on either side, eastward and westward, to these rivers; while on the south a sharper descent led down across swampy meadows to the ford from which the town drew its name and to the bridge that succeeded it. Around lay a wild forest country, moors such as Cowley and Bullingdon fringing the course of Thames, great woods of which Shotover and Bagley are the relics closing the horizon to the south and east. Though the two huge towers of its Norman castle marked the strategic importance of Oxford as commanding the river valley along which the commerce of Southern England mainly flowed, its walls formed the least element in the town's military strength, for on every side but the north it was guarded by the swampy meadows along Cherwell or by an intricate network of streams into which the Thames breaks among the meadows of Osney. From the midst of these meadows rose a mitered abbey of Austin canons, which, with the older priory of St. Frideswide, gave Oxford some ecclesiastical dignity. The residence of the Norman house of the D'Oillis within its castle, the frequent visits of English kings to a palace without its walls, the presence again and again of important parliaments, marked its political weight within the realm. The settlement of one of the wealthiest among the English Jewries in the very heart of the town indicated, while it promoted, the activity of its trade. No place better illustrates the transformation of the land in the hands of its Norman masters. the sudden outburst of industrial effort, the sudden expansion of commerce and ac

cumulation of wealth which followed the conquest To the west of the town rose one of the stateliest of English castles, and in the meadows beneath the hardly less stately abbey of Osney. In the fields to the north the last of the Norman kings raised his palace of Beaumont. In the southern quarter of the city the canons of St. Frideswide reared the church which still exists as the diocesan cathedral, while the piety of the Norman Castellans rebuilt almost all its parish churches and founded within their new castle walls the church of the canons of St George.

163. We know nothing of the causes which drew students and teachers within the walls of Oxford. It is possible that here as elsewhere a new teacher quickened older educational foundations, and that the cloisters of Osney and St. Frideswide already possessed schools which burst into a larger life under the impulse of Vacarius. As yet, however, the fortunes of the university were obscured by the glories of Paris. English scholars gathered in thousands round the chairs of William of Champeaux or Abelard. The English took their place as one of the "nations" of the French University. John of Salisbury became famous as one of the Parisian teachers. Thomas of London wandered to Paris from his school at Merton. But, through the peaceful reign of Henry the Second, Oxford quietly grew in numbers and repute, and forty years after the visit of Vacarius its educational position was fully established. When Gerald of Wales read his amusing Topography of Ireland to its students, the most

learned and famous of the English clergy were to be found within its walls. At the opening of the thirteenth century Oxford stood without a rival in its own country, while in European celebrity it took rank with the greatest schools of the western world. But to realize this Oxford of the past we must dismiss from our minds all recollections of the Oxford of the present. In the outer look of the new university there was nothing of the pomp that overawes the freshman as he first paces the "High" or looks down from the gallery of St. Mary's. In the stead of long fronts of venerable colleges, of stately walks beneath immemorial elms, history plunges us into the mean and filthy lanes of a mediæval town. Thousands of boys, huddled in bare lodging-houses, clustering round teachers as poor as themselves in church porch and house porch, drinking, quarreling, dicing, begging at the corners of the streets, take the place of the brightly colored train of doctors and heads. Mayor and chancellor struggled in vain to enforce order or peace on this seething mass of turbulent life. The retainers who followed their young lords to the university fought out the feuds of their houses in the streets. Scholars from Kent and scholars from Scotland waged the bitter struggle of north and south. At nightfall roysterer and reveler roamed with torches through the narrow lanes, defying bailiffs, and cutting down burghers at their doors. Now a mob of clerks plunged into the Jewry and wiped off the memory of bills and bonds by sacking a Hebrew house or two. Now a tavern squabble between scholar and townsman widened

into a general broil, and the academical bell of St. Mary's vied with the town bell of St. Martin's in clanging to arms. Every phase of ecclesiastical controversy or political strife was preluded by some fierce outbreak in this turbulent, surging mob. When England growled at the exactions of the papacy in the years that were to follow, the students besieged a legate in the abbot's house at Osney. A murderous town and gown row preceded the opening of the Barons' War. "When Oxford draws knife," ran an old rhyme, "England's soon at strife."

164. But the turbulence and stir was a stir and turbulence of life. A keen thirst for knowledge, a passionate poetry of devotion, gathered thousands round the poorest scholar and welcomed the barefoot friar. Edmund Rich—Archbishop of Canterbury and saint in later days—came, about the time we have reached, to Oxford, a boy of twelve years old, from a little lane at Abingdon that still bears his name. He found his school in an inn that belonged to the Abbey of Eynsham, where his father had taken refuge from the world. His mother was a pious woman of the day, too poor to give her boy much outfit besides the hair-shirt that he promised to wear every Wednesday; but Edmund was no poorer than his neighbors. He plunged at once into the nobler life of the place, its ardor for knowledge, its mystical piety. "Secretly," perhaps at eventide, when the shadows were gathering in the Church of St. Mary and the crowd of teachers and students had left its aisles, the boy stood before an image of the

Virgin, and, placing a ring of gold upon its finger, took Mary for his bride. Years of study, broken by a fever that raged among the crowded, noisome streets, brought the time for completing his education at Paris; and Edmund, hand in hand with a brother Robert of his, begged his way as poor scholars were wont to the great school of Western Christendom. Here a damsel, heedless of his tonsure, wooed him so pertinaciously that Edmund consented at last to an assignation; but when he appeared it was in company of grave academical officials who, as the maiden declared in the hour of penitence which followed, "straightway whipped the offending Eve out of her." Still true to his Virgin bridal, Edmund, on his return from Paris, became the most popular of Oxford teachers. It is to him that Oxford owes her first introduction to the logic of Aristotle. We see him in the little room which he hired, with the Virgin's chapel hard by, his gray gown reaching to his feet, ascetic in his devotion, falling asleep in lecture-time after a sleepless night of prayer, but gifted with a grace and cheerfulness of manner which told of his French training and a chivalrous love of knowledge that let his pupils pay what they would. "Ashes to ashes, dust to dust," the young tutor would say, a touch of scholarly pride perhaps mingling with his contempt of worldly things as he threw down the fee on the dusty window-ledge, whence a thievish student would sometimes run off with it. But even knowledge brought its troubles; the Old Testament, which, with a copy of the Decretals, long formed his sole library, frowned down

upon a love of secular learning from which Edmund found it hard to wean himself. At last, in some hour of dream, the form of his dead mother floated into the room, where the teacher stood among his mathematical diagrams. "What are these?" she seemed to say; and, seizing Edmund's right hand, she drew on the palm three circles interlaced, each of which bore the name of a person of the Christian Trinity. "Be these," she cried, as the figure faded away, "thy diagrams henceforth, my son."

165. The story admirably illustrates the real character of the new training, and the latent opposition between the spirit of the universities and the spirit of the church. The feudal and ecclesiastical order of the old mediæval world were both alike threatened by this power that had so strangely sprung up in the midst of them. Feudalism rested on local isolation, on the severance of kingdom from kingdom and barony from barony, on the distinction of blood and race, on the supremacy of material or brute force, on an allegiance determined by accidents of place and social position. The university, on the other hand, was a protest against this isolation of man from man. The smallest school was European and not local. Not merely every province of France, but every people of Christendom, had its place among the "nations" of Paris or Padua. A common language, the Latin tongue, superseded within academical bounds the warring tongues of Europe. A common intellectual kinship and rivalry took the place of the petty strifes which parted province from province, or realm from realm. What church and

empire had both aimed at, and both failed in, the knitting of Christian nations together into a vast commonwealth, the universities for a time actually did. Dante felt himself as little a stranger in the "Latin" quarter round Mont St. Geneviève as under the arches of Bologna. Wandering Oxford scholars carried the writings of Wycliffe to the libraries of Prague. In England the work of provincial fusion was less difficult or important than elsewhere, but even in England work had to be done. The feuds of Northerner and Southerner which so long disturbed the discipline of Oxford witnessed, at any rate, to the fact that Northerner and Southerner had at last been brought face to face in its streets. And here, as elsewhere, the spirit of national isolation was held in check by the larger comprehensiveness of the university. After the dissensions that threatened the prosperity of Paris in the thirteenth century Norman and Gascon mingled with Englishmen in Oxford lecture halls. Irish scholars were foremost in the fray with the legate. At a later time the rising of Owen Glyndwr found hundreds of Welshmen gathered round its teachers. And within this strangely mingled mass, society and government rested on a purely democratic basis. Among Oxford scholars the son of the noble stood on precisely the same footing with the poorest mendicant. Wealth, physical strength, skill in arms, pride of ancestry and blood, the very grounds on which feudal society rested, went for nothing in the lecture-room. The university was a state absolutely self-governed, and whose citizens were admitted by a purely intel-

lectual franchise. Knowledge made the "master." To know more than one's fellows was a man's sole claim to be a regent or "ruler" in the schools. And within this intellectual aristocracy all were equal. When the free commonwealth of the masters gathered in the aisles of St. Mary's all had an equal right to counsel, all had an equal vote in the final decision. Treasury and library were at their complete disposal. It was their voice that named every officer, that proposed and sanctioned every statute. Even the chancellor, their head, who had at first been an officer of the bishop, became an elected officer of their own.

166. If the democratic spirit of the universities threatened feudalism, their spirit of intellectual inquiry threatened the church. To all outer seeming they were purely ecclesiastal bodies. The wide extension which mediæval usage gave to the word "orders" gathered the whole educated world within the pale of the clergy. Whatever might be their age or proficiency, scholar and teacher alike ranked as clerks, free from lay responsibilities or the control of civil tribunals, and amenable only to the rule of the bishop and the sentence of his spiritual courts. This ecclesiastical character of the university appeared in that of its head. The chancellor, as we have seen, was at first no officer of the university itself, but of the ecclesiastical body under whose shadow it had sprung into life. At Oxford he was simply the local officer of the Bishop of Lincoln, within whose immense diocese the university was then situated. But this identification in outer form with

the church only rendered more conspicuous the difference of spirit between them. The sudden expansion of the field of education diminished the importance of those purely ecclesiastical and theological studies which had hitherto absorbed the whole intellectual energies of mankind. The revival of classical literature, the re-discovery, as it were, of an older and a greater world, the contact with a larger, freer life, whether in mind, in society or in politics, introduced a spirit of skepticism, of doubt, of denial, into the realms of unquestioning belief. Abelard claimed for reason a supremacy over faith. Florentine poets discussed with a smile the immortality of the soul. Even to Dante, while he censures these, Virgil is as sacred as Jeremiah. The imperial ruler in whom the new culture took its most notable form, Frederick the Second, the "world's wonder" of his time, was regarded by half Europe as no better than an infidel. A faint revival of physical science, so long crushed as magic by the dominant ecclesiasticism, brought Christians into perilous contact with the Moslem and the Jew. The books of the rabbis were no longer an accursed thing to Roger Bacon. The scholars of Cordova were no mere Paynim swine to Abelard of Bath. How slowly, indeed, and against what obstacles science won its way we know from the witness of Roger Bacon. "Slowly," he tells us, "has any portion of the philosophy of Aristotle come into use among the Latins. His Natural Philosophy and his Metaphysics, with the Commentaries of Averroes and others, were translated in my time, and interdicted at Paris up to the

year of grace 1237, because of their assertion of the eternity of the world and of time, and because of the book of the divinations by dreams (which is the third book, De Somniis et Vigiliis), and because of many passages erroneously translated. Even his logic was slowly received and lectured on. For St. Edmund, the Archbishop of Canterbury, was the first in my time who read the elements at Oxford. And I have seen Master Hugo, who first read the book of Posterior Analytics, and I have seen his writing. So there were but few, considering the multitude of the Latins, who were of any account in the philosophy of Aristotle; nay, very few, indeed, and scarcely any up to this year of grace 1292."

167. If we pass from the English university to the English town we see a progress as important and hardly less interesting. In their origin our boroughs were utterly unlike those of the rest of the western world. The cities of Italy and Provence had preserved the municipal institutions of their Roman past; the German towns had been founded by Henry the Fowler with the purpose of sheltering industry from the feudal oppression around them; the communes of Northern France sprang into existence in revolt against feudal outrage within their walls. But in England the tradition of Rome passed utterly away, while feudal oppression was held fairly in check by the crown. The English town, therefore, was in its beginning simply a piece of the general country, organized and governed precisely in the same manner as the townships around it. Its existence witnessed, indeed, the need which men felt in

those early times of mutual help and protection. The burh or borough was probably a more defensible place than the common village; it may have had a ditch or mound about it instead of the quickest hedge or "tun" from which the township took its name. But in itself it was simply a township or group of townships where men clustered, whether for trade or defense, more thickly than elsewhere. The towns were different in the circumstances and date of their rise. Some grew up in the fortified camps of the English invaders. Some dated from a later occupation of the sacked and desolate Roman towns. Some clustered round the country houses of king and ealdorman or the walls of church and monastery. Towns like Bristol were the direct result of trade. There was the same variety in the mode in which the various town communities were formed. While the bulk of them grew by simple increase of population from township to town, larger boroughs such as York with its "six shires," or London with its wards and sokes and franchises, show how families and groups of settlers settled down side by side, and claimed as they coalesced, each for itself, its shire or share of the town-ground while jealously preserving its individual life within the town community. But strange as these aggregations might be, the constitution of the borough which resulted from them was simply that of the people at large. Whether we regard it as a township, or rather from its size as a hundred or collection of townships, the obligations of the dwellers within its bounds were those of the townships round, to keep fence and

trench in good repair, to send a contingent to the fyrd, and a reeve and four men to the hundred court and shire court. As in other townships land was a necessary accompaniment of freedom. The landless man who dwelled in the borough had no share in its corporate life; for purposes of government or property the town consisted simply of the landed proprietors within its bounds. The common lands which are still attached to many of our boroughs take us back to a time when each township lay within a ring or mark of open ground which served at once as boundary and pasture land. Each of the four wards of York had its common pasture; Oxford has still its own "Portmeadow."

168. The inner rule of the borough lay, as in the townships about it, in the hands of its own freemen, gathered in "borough-moot" or "portmannimote." But the social change brought about by the Danish wars, the legal requirement that each man should have a lord, affected the towns as it affected the rest of the country. Some passed into the hands of great thegns near to them; the bulk became known as in the demesne of the king. A new officer, the lord's or king's reeve, was a sign of this revolution. It was the reeve who now summoned the borough-moot and administered justice in it; it was he who collected the lord's dues or annual rent of the town, and who exacted the services it owed to its lord. To modern eyes these services would imply almost complete subjection. When Leicester, for instance, passed from the hands of the Conqueror into those of its earls, its townsmen were bound to reap their

lord's corn-crops, to grind at his mill, to redeem their strayed cattle from his pound. The great forest around was the earl's, and it was only out of his grace that the little borough could drive its swine into the woods or pasture its cattle in the glades. The justice and government of a town lay wholly in its master's hands; he appointed its bailiffs, received the fines and forfeitures of his tenants, and the fees and tolls of their markets and fairs. But, in fact, when once these dues were paid and these services rendered the English townsmen was practically free. His rights were as rigidly defined by custom as those of his lord. Property and person alike were secured against arbitrary seizure. He could demand a fair trial on any charge, and even if justice was administered by his master's reeve, it was administered in the presence and with the assent of his fellow-townsmen. The bell which swung out from the town tower gathered the burgesses to a common meeting, where they could exercise rights of free speech and free deliberation on their own affairs. Their merchant-guild over its ale-feast regulated trade, distributed the sums due from the town among the different burgesses, looked to the due repairs of gate and wall, and acted in fact pretty much the same part as a town-council of to-day.

169. The merchant-guild was the outcome of a tendency to closer association which found support in those principles of mutual aid and mutual restraint that lay at the base of our old institutions. Guilds or clubs for religious, charitable, or social purposes were common throughout the country; and especially

common in boroughs, where men clustered more thickly together. Each formed a sort of artificial family. An oath of mutual fidelity among its members was substituted for the tie of blood, while the guild-feast, held once a month in the common hall, replaced the gathering of the kinsfolk round their family hearth. But within this new family the aim of the guild was to establish a mutual responsibility as close as that of the old. "Let all share the same lot," ran its law; "if any misdo, let all bear it." A member could look for aid from his guild-brothers in atoning for guilt incurred by mishap. He could call on them for assistance in case of violence or wrong. If falsely accused they appeared in court as his compurgators; if poor they supported, and when dead they buried him. On the other hand he was responsible to them, as they were to the state, for order and obedience to the laws. A wrong of brother against brother was also a wrong against the general body of the guild, and was punished by fine or in the last resort by an expulsion which left the offender a "lawless" man and an outcast. The one difference between these guilds in country and town was this, that in the latter case from their close local neighborhood they tended inevitably to coalesce. Under Æthelstan the London guilds united into one for the purpose of carrying out more effectually their common aims, and at a later time we find the guilds of Berwick enacting "that where many bodies are found side by side in one place they may become one, and have one will, and in the dealings of one with another have a strong and hearty love." The

process was probably a long and difficult one, for the brotherhoods naturally differed much in social rank, and even after the union was effected, we see traces of the separate existence to a certain extent of some one or more of the wealthier or more aristocratic guilds. In London, for instance, the Knighten-guild, which seems to have stood at the head of its fellows, retained for a long time its separate property, while its alderman—as the chief officer of each guild was called—became the alderman of the united guild of the whole city. In Canterbury we find a similar guild of thanes, from which the chief officers of the town seem commonly to have been selected. Imperfect, however, as the union might be, when once it was effected the town passed from a mere collection of brotherhoods into a powerful community, far more effectually organized than in the loose organization of the township, and whose character was inevitably determined by the circumstances of its origin. In their beginnings our boroughs seem to have been mainly gatherings of persons engaged in agricultural pursuits; the first dooms of London provide especially for the recovery of cattle belonging to the citizens. But as the increasing security of the country invited the farmer or the landowner to settle apart in his own fields, and the growth of estate and trade told on the towns themselves, the difference between town and country became more sharply defined. London, of course, took the lead in this new development of civic life. Even in Æthelstan's day every London merchant who had made three long voyages on his own account ranked

as a thegn. Its "lithsmen," or shipman's-guild, were of sufficient importance under Harthacnut to figure in the election of a king, and its principal street still tells of the rapid growth of trade in its name of "Cheap-side" or the bargaining place. But at the Norman conquest the commercial tendency had become universal. The name given to the united brotherhood in a borough is in almost every case no longer that of a "town-guild," but of the "merchant-guild."

170. This social change in the character of the townsmen produced important results in the character of their municipal institutions. In becoming a merchant-guild the body of citizens who formed the "town" enlarged their powers of civic legislation by applying them to the control of their internal trade. It became their special business to obtain from the crown or from their lords wider commercial privileges, rights of coinage, grants of fairs, and exemption from tolls, while within the town itself they framed regulations as to the sale and quality of goods, the control of markets, and the recovery of debts. It was only by slow and difficult advances that each step in this securing of privilege was won. Still it went steadily on. Whenever we get a glimpse of the inner history of an English town we find the same peaceful revolution in progress, services disappearing through disuse or omission, while privileges and immunities are being purchased in hard cash. The lord of the town, whether he were king, baron, or abbot, was commonly thriftless or poor; and the capture of a noble, or the campaign

of a sovereign, or the building of some new minster by a prior, brought about an appeal to the thrifty burghers, who were ready to fill again their master's treasury at the price of the strip of parchment which gave them freedom of trade, of justice, and of government. In the silent growth and elevation of the English people the boroughs thus led the way. Unnoticed and despised by prelate and noble they preserved or won back again the full tradition of Teutonic liberty. The right of self-government, the right of free speech in free meeting, the right to equal justice at the hands of one's equals, were brought safely across ages of tyranny by the burghers and shop-keepers of the towns. In the quiet quaintly-named streets, in town-mead and market-place, in the lord's mill beside the stream, in the bell that swung out its summons to the crowded borough-mote, in merchant-guild, and church-guild, and craft-guild, lay the life of Englishmen, who were doing more than knight and baron to make England what she is—the life of their home and their trade, of their sturdy battle with oppression, their steady, ceaseless struggle for right and freedom.

171. London stood first among English towns, and the privileges which its citizens won became precedents for the burghers of meaner boroughs. Even at the conquest its power and wealth secured it a full recognition of all its ancient privileges from the Conqueror. In one way, indeed, it profited by the revolution which laid England at the feet of the stranger. One immediate result of William's success was an immigration into England from

the Continent. A peaceful invasion of the Norman traders followed quick on the invasion of the Norman soldiery. Every Norman noble as he quartered himself upon English lands, every Norman abbot as he entered his English cloister, gathered French artists, French shopkeepers, French domestics about him. Round the Abbey of Battle which William founded on the site of his great victory, "Gilbert the foreigner, Gilbert the weaver, Benet the steward, Hugh the secretary, Baldwin the tailor," dwelt, mixed with the English tenantry. But nowhere did these immigrants play so notable a part as in London. The Normans had had mercantile establishments in London as early as the reign of Æthelred, if not Eadgar. Such settlements, however, naturally formed nothing more than a trading colony, like the colony of the "Emperor's Men," or Easterlings. But with the conquest their number greatly increased. "Many of the citizens of Rouen and Caen passed over thither, preferring to be dwellers in this city, inasmuch as it was fitter for their trading and better stored with the merchandise in which they were wont to traffic." The status of these traders, indeed, had wholly changed. They could no longer be looked upon as strangers in cities which had passed under the Norman rule. In some cases, as at Norwich, the French colony isolated itself in a separate French town, side by side with the English borough. But in London it seems to have taken at once the position of a governing class. Gilbert Beket, the father of the famous archbishop, was believed in later days to have been one of the

portreeves of London, the predecessors of its mayors; he held in Stephen's time a large property in houses within the walls, and a proof of his civic importance was preserved in the annual visit of each newly elected chief magistrate to his tomb in a little chapel which he had founded in the churchyard of St. Paul's. Yet Gilbert was one of the Norman strangers who followed in the wake of the Conqueror; he was by birth a burgher of Rouen, as his wife was of a burgher family from Caen.

172. It was partly to this infusion of foreign blood, partly no doubt to the long internal peace and order secured by the Norman rule, that London owed the wealth and importance to which it attained during the reign of Henry the First. The charter which Henry granted it became a model for lesser boroughs. The king yielded its citizens the right of justice; each townsman could claim to be tried by his fellow-townsmen in the town-court of hustings, whose sessions took place every week. They were subject only to the old English trial by oath, and exempt from the trial by battle which the Normans introduced. Their trade was protected from toll or exaction over the length and breadth of the land The king, however, still nominated in London as elsewhere the portreeve, or magistrate of the town, nor were the citizens as yet united together in a commune or corporation. But an imperfect civic organization existed in the "wards" or quarters of the town, each governed by its own alderman, and in the "guilds" or voluntary associations of merchants or traders, which insured order and

mutual protection for their members. Loose, too, as these bonds may seem, they were drawn firmly together by the older English traditions of freedom which the towns preserved. The London-burgesses gathered in their town-mote when the bell swung out from the bell-tower of St. Paul's to deliberate freely on their own affairs under the presidency of their alderman. Here, too, they mustered in arms if danger threatened the city, and delivered the town-banner to their captain, the Norman baron Fitz-Walter, to lead them against the enemy.

173. Few boroughs had as yet attained to such power as this, but the instance of Oxford shows how the freedom of London told on the general advance of English towns. In spite of antiquarian fancies, it is certain that no town had arisen on the site of Oxford for centuries after the withdrawal of the Roman legions from the isle of Britain. Though the monastery of St. Frideswide rose in the turmoil of the eighth century on the slope which led down to a ford across the Thames, it is long before we get a glimpse of the borough that must have grown up under its walls. The first definite evidence for its existence lies in a brief entry of the English Chronicle which recalls its seizure by Eadward the Elder, but the form of this entry shows that the town was already a considerable one, and in the last wrestle of England with the Dane its position on the borders of Mercia and Wessex combined with its command of the upper valley of the Thames to give it military and political importance. Of the life of its burgesses, however, we still know little

or nothing. The names of its parishes, St. Aldate, St. Ebbe, St. Mildred, St. Edmund, show how early church after church gathered round the earlier town-church of St. Martin. But the men of the little town remain dim to us. Their town-mote or the "Portmannimote" as it was called, which was held in the churchyard of St. Martin, still lives in a shadow of its older self as the Freeman's Common Hall—their townmead is still the Port-meadow. But it is only by later charters or the record of Doomsday that we see them going on pilgrimage to the shrines of Winchester, or chaffering in their market-place, or judging and law-making in their hustings, their merchant-guild regulating trade, their reeve gathering his king's dues of tax or money or marshaling his troops of burghers for the king's wars, their boats paying toll of a hundred herrings in Lent-tide to the Abbot of Abingdon, as they floated down the Thames toward London.

174. The number of houses marked waste in the survey marks the terrible suffering of Oxford in the Norman Conquest; but the ruin was soon repaired, and the erection of its castle, the rebuilding of its churches, the planting of a Jewry in the heart of the town, showed in what various ways the energy of its new masters was giving an impulse to its life. It is a proof of the superiority of the Hebrew dwellings to the Christian houses about them that each of the later town-halls of the borough had, before their expulsion, been houses of Jews. Nearly all the larger dwelling houses, in fact, which were subsequently converted into academic halls bore traces

of the same origin in names such as Moysey's Hall, Lombard's Hall, or Jacob's Hall. The Jewish houses were abundant, for besides the greater Jewry in the heart of it, there was a lesser Jewry scattered over its southern quarter, and we can hardly doubt that this abundance of substantial buildings in the town was at least one of the causes which drew teachers and scholars within its walls. The Jewry, a town within a town, lay here as elsewhere isolated and exempt from the common justice, the common life, and self-government of the borough. On all but its eastern side, too, the town was hemmed in by jurisdiction independent of its own. The precincts of the Abbey of Osney, the wide "bailey" of the castle, bounded it narrowly on the west. To the north, stretching away beyond the little church of St. Giles, lay the fields of the royal manor of Beaumont. The Abbot of Abingdon, whose woods of Cumnor and Bagley closed the southern horizon, held his lee-court in the hamlet of Grampound beyond the bridge. Nor was the whole space within the walls subject to the self-government of the citizens. The Jewry had a rule and law of its own. Scores of householders, dotted over street and lane, were tenants of castle or abbey and paid no suit or service at the borough court.

175. But within these narrow bounds and amid these various obstacles the spirit of municipal liberty lived a life the more intense that it was so closely cabined and confined. Nowhere, indeed, was the impulse which London was giving likely to tell with greater force. The "bargemen" of Oxford were

connected even before the conquest with the "boat-men," or shippers, of the capital. In both cases it is probable that the bodies bearing these names represented what is known as the merchant-guild of the town. Royal recognition enables us to trace the merchant-guild of Oxford from the time of Henry the First. Even then lands, islands, pastures belonged to it, and among them the same Port-meadow which is familiar to Oxford men pulling lazily on a summer's noon to Godstow. The connection between the two guilds was primarily one of trade. "In the time of King Eadward and Abbot Ordric" the channel of the Thames beneath the walls of the Abbey of Abingdon became so blocked up that boats could scarce pass as far as Oxford, and it was at the joint prayer of the burgesses of London and Oxford that the abbot dug a new channel through the meadow to the south of his church. But by the time of Henry the Second closer bonds than this linked the two cities together. In case of any doubt or contest about judgments in their own court, the burgesses of Oxford were empowered to refer the matter to the decision of London, "and whatsoever the citizens of London shall adjudge in such cases shall be deemed right." The judicial usages, the municipal rights of each city were assimilated by Henry's charter. "Of whatsoever matter the men of Oxford be put in plea, they shall deraign themselves according to the law and custom of the city of London and not otherwise, because they and the citizens of London are of one and the same custom, law, and liberty."

176. A legal connection such as this could hardly fail to bring with it an identity of municipal rights. Oxford had already passed through the earlier steps of her advance toward municipal freedom before the conquest of the Norman. Her burghers assembled in their own Portmannimote, and their dues to the crown were assessed at a fixed sum of honey or corn. But the formal definition of their rights dates, as in the case of London, from the time of Henry the First. The customs and exemptions of its townsmen were confirmed by Henry the Second "as ever they enjoyed them in the time of Henry my grandfather, and in like manner as my citizens of London hold them." By this date the town had attained entire judicial and commercial freedom, and liberty of external commerce was secured by the exemption of its citizens from toll on the king's lands. Complete independence was reached when a charter of John substituted a mayor of the town's own choosing for the reeve or bailiff of the crown. But dry details such as these tell little of the quick pulse of popular life that beat in the thirteenth century through such a community as that of Oxford. The church of St. Martin in the very heart of it, at the "Quatrevoix" or Carfax where its four streets met, was the center of the city life. The town-mote was held in its churchyard. Justice was administered ere yet a town-hall housed the infant magistracy, by mayor or bailiff, sitting beneath a low pent-house, the "pennyless bench," of later days, outside its eastern wall. Its bell summoned the burghers to council or arms. Around the church the trade guilds were ranged as in

some vast encampment. To the south of it lay Spicery and Vintnery, the quarter of the richer burgesses. Fish street fell noisily down to the bridge and the ford. The Cornmarket occupied then as now the street which led to Northgate. The stalls of the butchers stretched along the "Butcher row," which formed the road to the bailey and the castle. Close beneath the church lay a nest of huddled lanes, broken by a stately synagogue, and traversed from time to time by the yellow gaberdine of the Jew. Soldiers from the castle rode clashing through the narrow streets; the bells of Osney clanged from the swampy meadows; processions of pilgrims wound through gates and lane to the shrine of St. Frideswide. Frays were common enough; now the sack of a Jew's house; now burgher drawing knife on burgher; now an outbreak of the young student lads, who were growing every day in numbers and audacity. But as yet the town was well in hand. The clang of the city bell called every citizen to his door; the call of the mayor brought trade after trade with bow in hand and banners flying to enforce the king's peace.

177. The advance of towns which had grown up, not on the royal domain but around abbey or castle, was slower and more difficult. The story of St. Edmundsbury shows how gradual was the transition from pure serfage to an imperfect freedom. Much that had been plow-land here in the Confessor's time was covered with houses by the time of Henry the Second. The building of the great abbey-church drew its craftsmen and masons to mingle with the

plowmen and reapers of the abbot's domain. The troubles of the time helped here as elsewhere the progress of the town; serfs, fugitives from justice or their lord, the trader, the Jew, naturally sought shelter under the strong hand of St. Edmund. But the settlers were wholly at the abbot's mercy. Not a settler but was bound to pay his pence to the abbot's treasury, to plow a rood of his land, to reap in his harvest-field, to fold his sheep in the abbey folds, to help bring the annual catch of eels from the abbey waters. Within the four crosses that bounded the abbot's domain land and water were his; the cattle of the townsmen paid for their pasture on the common; if the fullers refused the loan of their cloth, the cellarers would refuse the use of the stream, and seize their looms wherever they found them. No toll might be levied from tenants of the abbey farms, and customers had to wait before shop and stall till the buyers of the abbot had had the pick of the market. There was little chance of redress, for if burghers complained in folk-mote it was before the abbot's officers that its meeting was held; if they appealed to the alderman, he was the abbot's nominee and received the horn, the symbol of his office, at the abbot's hands. Like all the greater revolutions of society, the advance from this mere serfage was a silent one; indeed its more galling instances of oppression seem to have slipped unconsciously away. Some, like the eel-fishing, were commuted for an easy rent; others, like the slavery of the fullers and the toll of flax, simply disappeared. By usage, by omission, by downright forgetfulness, here

by a little struggle, there by a present to a needy abbot, the town won freedom.

178. But progress was not always unconscious, and one incident in the history of St. Edmundsbury is remarkable, not merely as indicating the advance of law, but yet more as marking the part which a new moral sense of man's right to equal justice was to play in the general advance of the realm. Rude as the borough was, it possessed the right of meeting in full assembly of the townsmen for government and law. Justice was administered in presence of the burgesses, and the accused acquitted or condemned by the oath of his neighbors. Without the borough bounds, however, the system of Norman judicature prevailed; and the rural tenants who did suit and service at the cellarer's court were subjected to the trial by battle. The execution of a farmer named Kebel who came under this feudal jurisdiction brought the two systems into vivid contrast. Kebel seems to have been guiltless of the crime laid to his charge; but the duel went against him and he was hung just without the gates. The taunts of the townsmen woke his fellow-farmers to a sense of wrong. "Had Kebel been a dweller within the borough," said the burgesses, "he would have got his acquittal from the oaths of his neighbors, as our liberty is;" and even the monks were moved to a decision that their tenants should enjoy equal freedom and justice with the townsmen. The franchise of the town was extended to the rural possessions of the abbey without it; the farmers "came to the toll-house, were written in the alderman's toll, and paid

the town-penny." A chance story, preserved in a charter of later date, shows the same struggle for justice going on in a greater town. At Leicester, the trial by compurgation, the rough predecessor of trial by jury, had been abolished by the earls in favor of trial by battle. The aim of the burgesses was to regain their old justice, and in this a touching instance at last made them successful. "It chanced that two kinsmen, Nicholas the son of Acon and Geoffry the son of Nicholas, waged a duel about a certain piece of land concerning which a dispute had arisen between them; and they fought from the first to the ninth hour, each conquering by turns. Then one of them fleeing from the other till he came to a certain little pit, as he stood on the brink of the pit, and was about to fall therein, his kinsman said to him, 'Take care of the pit; turn back, lest thou shouldst fall into it.' Thereat so much clamor and noise was made by the by-standers and those who were sitting around that the earl heard those clamors as far off as the castle, and he inquired of some how it was that there was such a clamor, and answer was made to him that two kinsmen were fighting about a certain piece of ground, and that one had fled till he reached a certain little pit, and that as he stood over the pit and was about to fall into it, the other warned him. Then the townsmen being moved with pity, made a covenant with the earl that they should give him threepence yearly for each house in the High street that had a gable, on condition that he should grant to them that the twenty-four jurors who were in Leicester from ancient times should from that time

forward discuss and decide all pleas they might have among themselves."

179. At the time we have reached, this struggle for emancipation was nearly over. The larger towns had secured the privilege of self-government, the administration of justice, and the control of their own trade. The reigns of Richard and John mark the date in our municipal history at which towns began to acquire the right of electing their own chief magistrate, the portreeve or mayor, who had till then been a nominee of the crown. But with the close of this outer struggle opened an inner struggle between the various classes of the townsmen themselves. The growth of wealth and industry was bringing with it a vast increase of population. The mass of the new settlers, composed as they were of escaped serfs, of traders without landed holdings, of families who had lost their original lot in the borough, and generally of the artisans and the poor, had no part in the actual life of the town. The right of trade and of the regulation of trade, in common with all other forms of jurisdiction, lay wholly in the hands of the landed burghers whom we have described. By a natural process, too, their superiority in wealth produced a fresh division between the "burghers" of the merchant-guild and the unenfranchised mass around them. The same change which severed at Florence the seven greater arts or trades from the fourteen lesser arts, and which raised the three occupations of banking, the manufacture and the dyeing of cloth, to a position of superiority even within the privileged circle of the

seven, told though with less force on the English boroughs. The burghers of the merchant-guild gradually concentrated themselves on the greater operations of commerce, on trades which required a larger capital, while the meaner employments of general traffic were abandoned to their poorer neighbors. This advance in the division of labor is marked by such severances as we note in the thirteenth century of the cloth merchant from the tailor or the leather merchant from the butcher.

180. But the result of this severance was all-important in its influence on the constitution of our towns. The members of the trades thus abandoned by the wealthier burghers formed themselves into craft-guilds, which soon rose into dangerous rivalry with the original merchant-guild of the town. A seven years' apprenticeship formed the necessary prelude to full membership of these trade-guilds. Their regulations were of the minutest character; the quality and value of work were rigidly prescribed, the hours of toil fixed "from day-break to curfew," and strict provision made against competition in labor. At each meeting of these guilds their members gathered round the craft-box which contained the rules of their society, and stood with bared heads as it was opened. The warden and a quorum of guild-brothers formed a court which enforced the ordinances of the guild, inspected all work done by its members, confiscated unlawful tools or unworthy goods; and disobedience to their orders was punished by fines or in the last resort by expulsion, which involved the loss of a right to trade. A com-

mon fund was raised by contributions among the members, which not only provided for the trade objects of the guild, but sufficed to found chantries and masses and set up painted windows in the church of their patron saint. Even at the present day the arms of a craft-guild may often be seen blazoned in cathedrals side by side with those of prelates and of kings. But it was only by slow degrees that they rose to such a height as this. The first steps in their existence were the most difficult, for to enable a trade-guild to carry out its objects with any success it was first necessary that the whole body of craftsmen belonging to the trade should be compelled to join the guild, and secondly, that a legal control over the trade itself should be secured to it. A royal charter was indispensable for these purposes, and over the grant of these charters took place the first struggle with the merchant-guilds, which had till then solely exercised jurisdiction over trade within the boroughs. The weavers, who were the first trade-guild to secure royal sanction in the reign of Henry the First, were still engaged in a contest for existence as late as the reign of John, when the citizens of London bought for a time the suppression of their guild. Even under the house of Lancaster Exeter was engaged in resisting the establishment of a tailor's guild. From the eleventh century, however, the spread of these societies went steadily on, and the control of trade passed more and more from the merchant-guilds to the craft-guilds.

181. It is this struggle, to use the technical terms of the time, of the "greater folk" against the "less-

er folk," or of the "commune" (the general mass of the inhabitants) against the "prudhommes" (or "wiser" few), which brought about, as it passed from the regulation of trade to the general government of the town, the great civic revolution of the thirteenth and fourteenth centuries. On the Continent, and especially along the Rhine, the struggle was as fierce as the supremacy of the older burghers had been complete. In Köln the craftsmen had been reduced to all but serfage, and the merchant of Brussels might box at his will the ears of "the man without heart or honor who lives by his toil." Such social tyranny of class over class brought a century of bloodshed to the cities of Germany; but in England the tyranny of class over class was restrained by the general tenor of the law, and the revolution took for the most part a milder form. The longest and bitterest strife of all was naturally at London. Nowhere had the territorial constitution struck root so deeply, and nowhere had the landed oligarchy risen to such a height of wealth and influence. The city was divided into wards, each of which was governed by an alderman drawn from the ruling class. In some, indeed, the office seems to have become hereditary. The "magnates," or "barons," of the merchant-guild advised alone on all matters of civic government or trade regulation, and distributed or assessed at their will the revenues or burdens of the town. Such a position afforded an opening for corruption and oppression of the most galling kind; and it seems to have been a general impression of the unfair assessment of the dues levied on the poor and

the undue burdens which were thrown on the unenfranchised classes which provoked the first serious discontent. In the reign of Richard the First, William of the Long Beard, though one of the governing body, placed himself at the head of a conspiracy which, in the panic-stricken fancy of the burghers, numbered 50,000 of the craftsmen. His eloquence, his bold defiance of the aldermen in the town-mote, gained him at any rate a wide popularity· and the crowds who surrounded him hailed him as "the savior of the poor." One of his addresses is luckily preserved to us by a hearer of the time. In mediæval fashion he began with a text from the Vulgate: "Ye shall draw water with joy from the fountain of the Saviour." "I," he began, "am the savior of the poor. Ye poor men who have felt the weight of rich men's hands, draw from my fountain waters of wholesome instruction and that with joy, for the time of your visitation is at hand. For I will divide the waters from the waters. It is the people who are the waters, and I will divide the lowly and faithful folk from the proud and faithless folk; I will part the chosen from the reprobate as light from darkness." But it was in vain that he strove to win royal favor for the popular cause. The support of the moneyed classes was essential to Richard in the costly wars with Philip of France; and the Justiciar, Archbishop Hubert, after a moment of hesitation issued orders for William Longbeard's arrest. William felled with an axe the first soldier who advanced to seize him, and, taking refuge with a few adherents in the tower of St. Mary-le-Bow, summoned his

adherents to rise. Hubert, however, who had already flooded the city with troops, with bold contempt of the right of sanctuary set fire to the tower. William was forced to surrender, and a burgher's son, whose father he had slain, stabbed him as he came forth. With his death the quarrel slumbered for more than fifty years. But the movement toward equality went steadily on. Under pretext of preserving the peace the unenfranchised townsmen united in secret frith-guilds of their own, and mobs rose from time to time to sack the houses of foreigners and the wealthier burgesses. Nor did London stand alone in this movement. In all the larger towns the same discontent prevailed, the same social growth called for new institutions, and, in their silent revolt against the oppression of the merchant-guild, the craft-guilds were training themselves to stand forward as champions of a wider liberty in the Barons' War.

182. Without the towns progress was far slower and more fitful. It would seem, indeed, that the conquest of the Norman bore harder on the rural population than on any other class of Englishmen. Under the later kings of the house of Ælfred the number of absolute slaves and the number of freemen had alike diminished. The pure slave class had never been numerous, and it had been reduced by the efforts of the church, perhaps by the general convulsion of the Danish wars. But these wars had often driven the ceorl or freeman of the township to "commend" himself to a thegn, who pledged him his protection in consideration of payment in a

rendering of labor. It is probable that these dependent ceorls are the "villeins" of the Norman epoch, the most numerous class of the Doomsday Survey, men sunk, indeed, from pure freedom and bound both to soil and lord, but as yet preserving much of their older rights, retaining their land, free as against all men but their lord, and still sending representatives to hundred-moot and shire-moot. They stood, therefore, far above the "landless man," the man who had never possessed, even under the old constitution, political rights, whom the legislation of the English kings had forced to attach himself to a lord on pain of outlawry, and who served as household servant or as hired laborer, or at the best as rent-paying tenant of land which was not his own. The Norman knight or lawyer, however, saw little distinction between these classes; and the tendency of legislation under the Angevins was to blend all in a single class of serfs. While the pure "theow" or absolute slave disappeared, therefore, the ceorl or villein sank lower in the social scale. But though the rural population was undoubtedly thrown more together and fused into a more homogeneous class its actual position corresponded very imperfectly with the view of the lawyers. All indeed were dependents on a lord. The manor-house became the center of every English village. The manor-court was held in its hall; it was here that the lord or his steward received homage, recovered fines, held the view of frank-pledge, or enrolled the villagers in their tithing. Here, too, if the lord possessed criminal jurisdiction, was held his justice court, and

without its doors stood his gallows. Around it lay the lord's demesne or home-farm, and the cultivation of this rested wholly with the "villeins" of the manor. It was by them that the great barn was filled with sheaves, the sheep shorn, the grain malted, the wood hewn for the manor-hall fire. These services were the labor-rent by which they held their lands, and it was the nature and extent of this labor-rent which parted one class of the population from another. The "villein," in the strict sense of the word, was bound only to gather in his lord's harvest and to aid in the plowing and sowing of autumn and Lent. The cotter, the borderer, and the laborer were bound to help in the work of the home-farm throughout the year.

183. But these services and the time of rendering them were strictly limited by custom, not only in the case of the ceorl or villein but in that of the originally meaner "landless man." The possession of his little homestead with the ground around it, the privilege of turning out his cattle on the waste of the manor, passed quietly and insensibly from mere indulgences that could be granted or withdrawn at a lord's caprice into rights that could be pleaded at law. The number of teams, the fines, the reliefs, the services that a lord could claim, at first mere matter of oral tradition, came to be entered on the court-roll of the manor, a copy of which became the title-deed of the villein. It was to this that he owed the name of "copy-holder," which at a later time superseded his older title. Disputes were settled by a reference to this roll or on oral evidence of the

custom at issue, but a social arrangement which was eminently characteristic of the English spirit of compromise generally secured a fair adjustment of the claims of villein and lord. It was the duty of the lord's bailiff to exact their due services from the villeins, but his coadjutor in this office, the reeve or foreman of the manor, was chosen by the tenants themselves and acted as representative of their interests and rights. A fresh step toward freedom was made by the growing tendency to commute labor-services for money-payments. The population was slowly increasing, and as the law of gavel-kind, which was applicable to all landed estates not held by military tenure, divided the inheritance of the tenantry equally among their sons, the holding of each tenant and the services due from it became divided in a corresponding degree. A labor-rent thus became more difficult to enforce, while the increase of wealth among the tenantry and the rise of a new spirit of independence made it more burdensome to those who rendered it. It was probably from this cause that the commutation of the arrears of labor for a money-payment, which had long prevailed on every estate, gradually developed into a general commutation of services. We have already witnessed the silent progress of this remarkable change in the case of St. Edmundsbury, but the practice soon became universal, and "malt-silver," "wood-silver," and "larder-silver" gradually took the place of the older personal services on the court-rolls. The process of commutation was hastened by the necessities of the lords themselves. The luxury of

the castle-hall, the splendor and pomp of chivalry, the cost of campaigns drained the purses of knight and baron, and the sale of freedom to a serf or exemption from services to a villein afforded an easy and tempting mode of refilling them. In this process even kings took part. At a later time, under Edward the Third, commissioners were sent to royal estates for the especial purpose of selling manumissions to the king's serfs; and we still possess the names of those who were enfranchised, with their families, by a payment of hard cash in aid of the exhausted exchequer.

184. Such was the people which had been growing into a national unity and a national vigor while English king and English baronage battled for rule. But king and baronage themselves had changed like townsman and ceorl. The loss of Normandy, entailing as it did the loss of their Norman lands, was the last of many influences which had been giving through a century and a half a national temper to the baronage. Not only the "new men," the ministers out of whom the two Henrys had raised a nobility, were bound to the crown, but the older feudal houses now owned themselves as Englishmen and set aside their aims after personal independence for a love of the general freedom of the land. They stood out as the natural leaders of a people bound together by the stern government which had crushed all local division, which had accustomed men to the enjoyment of a peace and justice that, imperfect as it seems to modern eyes, was almost unexampled elsewhere in Europe, and which had trained them

to something of their old free government again by the very machinery of election it used to facilitate its heavy taxation. On the other hand the loss of Normandy brought home the king. The growth which had been going on had easily escaped the eyes of rulers who were commonly absent from the realm and busy with the affairs of countries beyond the sea. Henry the Second had been absent for years from England; Richard had only visited it twice for a few months; John had as yet been almost wholly occupied with his foreign dominions. To him, as to his brother, England had as yet been nothing but a land whose gold paid the mercenaries that followed him, and whose people bowed obediently to his will. It was easy to see that between such a ruler and such a nation once brought together strife must come; but that the strife came as it did and ended as it did was due above all to the character of the king.

185. "Foul as it is, hell itself is defiled by the fouler presence of John." The terrible verdict of his contemporaries has passed into the sober judgment of history. Externally John possessed all the quickness, the vivacity, the cleverness, the good-humor, the social charm which distinguished his house. His worst enemies owned that he toiled steadily and closely at the work of administration. He was fond of learned men like Gerald of Wales. He had a strange gift of attracting friends and of winning the love of women. But in his inner soul John was the worst outcome of the Angevins. He united into one mass of wickedness their insolence,

their selfishness, their unbridled lust, their cruelty and tyranny, their shamelessness, their superstition, their cynical indifference to honor or truth. In mere boyhood he tore, with brutal levity, the beards of the Irish chieftains who came to own him as their lord. His ingratitude and perfidy brought his father with sorrow to the grave. To his brother he was the worst of traitors. All Christendom believed him to be the murderer of his nephew, Arthur of Brittany. He abandoned one wife and was faithless to another. His punishments were refinements of cruelty, the starvation of children, the crushing old men under copes of lead. His court was a brothel where no woman was safe from the royal lust, and where his cynicism loved to publish the news of his victim's shame. He was as craven in his superstition as he was daring in his impiety. Though he scoffed at priests and turned his back on the mass, even amid the solemnities of his coronation, he never stirred on a journey without hanging relics round his neck. But with the wickedness of his race he inherited its profound ability. His plan for the relief of Château Gaillard, the rapid march by which he shattered Arthur's hopes at Mirabel, showed an inborn genius for war. In the rapidity and breadth of his political combinations he far surpassed the statesmen of his time. Throughout his reign we see him quick to discern the difficulties of his position, and inexhaustible in the resources with which he met them. The overthrow of his continental power only spurred him to the formation of a league which all but brought Philip to the ground;

and the sudden revolt of England was parried by a shameless alliance with the papacy. The closer study of John's history clears away the charges of sloth and incapacity with which men tried to explain the greatness of his fall. The awful lesson of his life rests on the fact that the king who lost Normandy, became the vassal of the pope, and perished in a struggle of despair against English freedom, was no weak and indolent voluptuary, but the ablest and most ruthless of the Angevins.

186. From the moment of his return to England in 1204 John's whole energies were bent to the recovery of his dominions on the Continent. He impatiently collected money and men for the support of those adherents of the house of Anjou who were still struggling against the arms of France in Poitou and Guienne, and in the summer of 1205 he gathered an army at Portsmouth and prepared to cross the channel. But his project was suddenly thwarted by the resolute opposition of the primate, Hubert Walter, and the Earl of Pembroke, William Marshal. So completely had both the baronage and the church been humbled by his father that the attitude of their representatives revealed to the king a new spirit of national freedom which was rising around him, and John at once braced himself to a struggle with it. The death of Hubert Walter in July, only a few days after his protest, removed his most formidable opponent, and the king resolved to neutralize the opposition of the church by placing a creature of his own at its head. John de Grey, Bishop of Norwich, was elected by the monks of Canterbury at his bid-

ding, and enthroned as primate. But in a previous though informal gathering the convent had already chosen its sub-prior, Reginald, as archbishop. The rival claimants hastened to appeal to Rome, and their appeal reached the papal court before Christmas. The result of the contest was a startling one both for themselves and for the king. After a year's careful examination, Innocent the Third, who now occupied the papal throne, quashed at the close of 1206 both the contested elections. The decision was probably a just one, but Innocent was far from stopping there. The monks who appeared before him brought powers from the convent to choose a new primate should their earlier nomination be set aside; and John, secretly assured of their choice of Grey, had promised to confirm their election. But the bribes which the king lavished at Rome failed to win the pope over to his plan; and whether from mere love of power, for he was pushing the papal claims of supremacy over Christendom further than any of his predecessors, or as may fairly be supposed in despair of a free election within English bounds, Innocent commanded the monks to elect in his presence Stephen Langton to the archiepiscopal see.

187. Personally a better choice could not have been made, for Stephen was a man who, by sheer weight of learning and holiness of life, had risen to the dignity of Cardinal, and whose after career placed him in the front ranks of English patriots. But in itself the step was an usurpation of the right both of the church and of the crown. The king at once met it with resistance. When Innocent con-

secrated the new primate in June, 1207, and threatened the realm with interdict if Langton were any longer excluded from his see, John replied by a counter threat that the interdict should be followed by the banishment of the clergy and the mutilation of every Italian he could seize in the realm. How little he feared the priesthood he showed when the clergy refused his demand of a thirteenth of movables for the whole country, and Archbishop Geoffry of York resisted the tax before the council. John banished the archbishop and extorted the money. Innocent, however, was not a man to draw back from his purpose, and in March, 1208, the interdict he had threatened fell upon the land. All worship, save that of a few privileged orders, all administration of sacraments, save that of private baptism, ceased over the length and breadth of the country: the church-bells were silent, the dead lay unburied on the ground. Many of the bishops fled from the country. The church in fact, so long the main support of the royal power against the baronage, was now driven into opposition. Its change of attitude was to be of vast moment in the struggle which was impending; but John recked little of the future; he replied to the interdict by confiscating the lands of the clergy who observed it, by subjecting them in spite of their privileges to the royal courts, and by leaving outrages on them unpunished. "Let him go," said John, when a Welshman was brought before him for the murder of a priest; "he has killed my enemy." In 1209 the pope proceeded to the further sentence of excommunication, and the king

was formally cut off from the pale of the church. But the new sentence was met with the same defiance as the old. Five of the bishops fled over sea, and secret disaffection was spreading widely, but there was no public avoidance of the excommunicated king. An archdeacon of Norwich who withdrew from his service was crushed to death under a cope of lead, and the hint was sufficient to prevent either prelate or noble from following his example.

188. The attitude of John showed the power which the administrative reforms of his father had given to the crown. He stood alone, with nobles estranged from him and the church against him, but his strength seemed utterly unbroken. From the first moment of his rule John had defied the baronage. The promise to satisfy their demand for redress of wrongs in the past reign—a promise made at his election—remained unfulfilled; when the demand was repeated he answered it by seizing their castles and taking their children as hostages for their loyalty. The cost of his fruitless threats of war had been met by heavy and repeated taxation, by increased land tax and increased scutage. The quarrel with the church and fear of their revolt only deepened his oppression of the nobles. He drove De Braose, one of the most powerful of the lords-marches, to die in exile, while his wife and grandchildren were believed to have been starved to death in the royal prisons. On the nobles who still clung panic-stricken to the court of the excommunicate king, John heaped outrages worse than death. Illegal exactions, the seizure of their castles, the pre-

ference shown to foreigners, were small provocations compared with his attacks on the honor of their wives and daughters. But the baronage still submitted. The financial exactions, indeed, became light as John filled his treasury with the goods of the church; the king's vigor was seen in the rapidity with which he crushed a rising of the nobles in Ireland and foiled an outbreak of the Welsh; while the triumphs of his father had taught the baronage its weakness in any single-handed struggle against the crown. Hated therefore as he was, the land remained still. Only one weapon was now left in Innocent's hands. Men held then that a king, once excommunicate, ceased to be a Christian or have claims on the obedience of Christian subjects. As spiritual heads of Christendom, the popes had ere now asserted their right to remove such a ruler from his throne and to give it to a worthier than he; and it was this right which Innocent at last felt himself driven to exercise. After useless threats he issued in 1212 a bull of deposition against John, absolved his subjects from their allegiance, proclaimed a crusade against him as an enemy to Christianity and the church, and committed the execution of the sentence to the king of the French. John met the announcement of this step with the same scorn as before. His insolent disdain suffered the Roman legate, Cardinal Pandulf, to proclaim his deposition to his face at Northampton. When Philip collected an army for an attack on England an enormous host gathered at the king's call on Barham Down; and the English fleet dispelled all danger of invasion by

crossing the channel, by capturing a number of French ships, and by burning Dieppe.

189. But it was not in England only that the king showed his strength and activity. Vile as he was, John possessed in a high degree the political ability of his race, and in the diplomatic efforts with which he met the danger from France he showed himself his father's equal. The barons of Poitou were roused to attack Philip from the south. John bought the aid of the Count of Flanders on his northern border. The German king, Otto, pledged himself to bring the knighthood of Germany to support an invasion of France. But at the moment of his success in diplomacy John suddenly gave way. It was, in fact, the revelation of a danger at home which shook him from his attitude of contemptuous defiance. The bull of deposition gave fresh energy to every enemy. The Scotch king was in correspondence with Innocent. The Welsh princes who had just been forced to submission broke out again in war. John hanged their hostages, and called his host to muster for a fresh inroad into Wales, but the army met only to become a fresh source of danger. Powerless to oppose the king openly, the baronage had plunged almost to a man into secret conspiracies. The hostility of Philip had dispelled their dread of isolated action; many, indeed, had even promised aid to the French king on his landing. John found himself in the midst of hidden enemies; and nothing could have saved him but the haste—whether of panic or quick decision—with which he disbanded his army and took refuge in Nottingham

Castle. The arrest of some of the barons showed how true were his fears, for the heads of the French conspiracy, Robert Fitz-Walter and Eustace de Vesci, at once fled over sea to Philip. His daring self-confidence, the skill of his diplomacy, could no longer hide from John the utter loneliness of his position. At war with Rome, with France, with Scotland, Ireland, and Wales, at war with the church, he saw himself disarmed by this sudden revelation of treason in the one force left at his disposal. With characteristic suddenness he gave way. He endeavored by remission of fines to win back his people. He negotiated eagerly with the pope, consented to receive the archbishop, and promised to repay the money he had extorted from the church.

190. But the shameless ingenuity of the king's temper was seen in his resolve to find in his very humiliation a new source of strength. If he yielded to the church he had no mind to yield to the rest of his foes; it was, indeed, in the pope who had defeated him that he saw the means of baffling their efforts. It was Rome that formed the link between the varied elements of hostility which combined against him. It was Rome that gave its sanction to Philip's ambition and roused the hopes of Scotch and Welsh; Rome that called the clergy to independence and nerved the barons to resistance. To detach Innocent by submission from the league which hemmed him in on every side was the least part of John's purpose. He resolved to make Rome his ally, to turn its spiritual thunders on his foes, to use it in breaking up the confederacy it had formed, in crushing the

baronage, in oppressing the clergy, in paralyzing—as Rome only could paralyze—the energy of the primate. That greater issues even than these were involved in John's rapid change of policy time was to show; but there is no need to credit the king with the foresight that would have discerned them. His quick, versatile temper saw no doubt little save the momentary gain. But that gain was immense. Nor was the price as hard to pay as it seems to modern eyes. The pope stood too high above earthly monarchs, his claims, at least as Innocent conceived and expressed them, were too spiritual, too remote from the immediate business and interests of the day, to make the owning of his suzerainty any very practical burden. John could recall a time when his father was willing to own the same subjection as that which he was about to take on himself. He could recall the parallel allegiance which his brother had pledged to the emperor. Shame, indeed, there must be in any loss of independence, but in this less than any, and with Rome the shame of submission had already been incurred. But whatever were the king's thoughts his act was decisive. On the 15th of May, 1213, he knelt before the legate Pandulf, surrendered his kingdom to the Roman see, took it back again as a tributary vassal, swore fealty and did liege homage to the pope.

191. In after times men believed that England thrilled at the news with a sense of national shame such as she had never felt before. "He has become the pope's man," the whole country was said to have murmured; "he has forfeited the very name of king;

from a free man he has degraded himself into a serf." But this was the belief of a time still to come when the rapid growth of national feeling which this step and its issues did more than anything to foster made men look back on the scene between John and Pandulf as a national dishonor. We see little trace of such a feeling in the contemporary accounts of the time. All seem rather to have regarded it as a complete settlement of the difficulties in which king and kingdom were involved. As a political measure its success was immediate and complete. The French army at once broke up in impotent rage; and when Philip turned on the enemy John had raised up for him in Flanders, 500 English ships under the Earl of Salisbury fell upon the fleet which accompanied the French army along the coast and utterly destroyed it. The league which John had so long matured at once disclosed itself. Otto, reinforcing his German army by the knighthood of Flanders and Boulogne as well as by a body of mercenaries in the pay of the English king, invaded France from the north. John called on his baronage to follow him over sea for an attack on Philip from the south.

192. Their plea that he remained excommunicate was set aside by the arrival of Langton and his formal absolution of the king on a renewal of his coronation oath and a pledge to put away all evil customs. But the barons still stood aloof. They would serve at home, they said, but they refused to cross the sea. Those of the north took a more decided attitude of opposition. From this point, indeed, the northern barons began to play their part

in our constitutional history. Lacies, Vescies, Percies, Stutevilles, Bruces, houses such as those of De Ros or De Vaux, all had sprung to greatness on the ruins of the Mowbrays and the great houses of the conquest, and had done service to the crown in its strife with the older feudatories. But loyal as was their tradition they were English to the core; they had neither lands nor interest over sea, and they now declared themselves bound by no tenure to follow the king in foreign wars. Furious at this check to his plans John marched in arms northwards to bring these barons to submission. But he had now to reckon with a new antagonist in the justiciar, Geoffry Fitz-Peter. Geoffry had hitherto bent to the king's will; but the political sagacity which he drew from the school of Henry the Second, in which he had been trained, showed him the need of concession, and his wealth, his wide kinship, and his experience of affairs gave his interposition a decisive weight. He seized on the political opportunity which was offered by the gathering of a council at St. Albans at the opening of August with the purpose of assessing the damages done to the church. Besides the bishops and barons, a reeve and his four men were summoned to this council from each royal demesne, no doubt simply as witnesses of the sums due to the plundered clergy. Their presence, however, was of great import. It is the first instance which our history presents of the summons of such representatives to a national council, and the instance took fresh weight from the great matters which came to be discussed. In the king's name the justiciar

promised good government for the time to come, and forbade all royal officers to practice extortion as they prized life and limb. The king's peace was pledged to those who had opposed him in the past; and observance of the laws of Henry the First was enjoined upon all within the realm.

198. But it was not in Geoffry Fitz-Peter that English freedom was to find its champion and the baronage their leader. From the moment of his landing in England Stephen Langton had taken up the constitutional position of the primate in upholding the old customs and rights of the realm against the personal despotism of the kings. As Anselm had withstood William the Red, as Theobald had withstood Stephen, so Langton prepared to withstand and rescue his country from the tyranny of John. He had already forced him to swear to observe the laws of Edward the Confessor, in other words the traditional liberties of the realm. When the baronage refused to sail for Poitou he compelled the king to deal with them not by arms but by process of law. But the work which he now undertook was far greater and weightier than this. The pledges of Henry the First had long been forgotten when the justiciar brought them to light, but Langton saw the vast importance of such a precedent. At the close of the month he produced Henry's charter in a fresh gathering of barons at St. Paul's, and it was at once welcomed as a base for the needed reforms. From London Langton hastened to the king, whom he reached at Northampton on his way to attack the nobles of the north, and wrested from him a promise

to bring his strife with them to legal judgment before assailing them in arms. With his allies gathering abroad John had doubtless no wish to be entangled in a long quarrel at home, and the archbishop's mediation allowed him to withdraw with seeming dignity. After a demonstration, therefore, at Dur ham, John marched hastily south again, and reached London in October. His justiciar at once laid before him the claims of the councils of St. Alban's and St. Paul's; but the death of Geoffry at this juncture freed him from the pressure which his minister was putting upon him. "Now, by God's feet," cried John, "I am for the first time king and lord of England," and he intrusted the vacant justiciarship to a Poitevin, Peter des Roches, the Bishop of Winchester, whose temper was in harmony with his own. But the death of Geoffry only called the archbishop to the front, and Langton at once demanded the king's assent to the charter of Henry the First. In seizing on this charter as a basis for national action Langton showed a political ability of the highest order. The enthusiasm with which its recital was welcomed showed the sagacity with which the archbishop had chosen his ground. From that moment the baronage was no longer drawn together in secret conspiracies by a sense of common wrong or a vague longing for common deliverance: they were openly united in a definite claim of national freedom and national law.

194. John could as yet only meet the claim by delay. His policy had still to wait for its fruits at Rome, his diplomacy to reap its harvest in Flanders,

ere he could deal with England. From the hour of his submission to the papacy his one thought had been that of vengeance on the barons, who, as he held, had betrayed him; but vengeance was impossible till he should return a conqueror from the fields of France. It was a sense of this danger which nerved the baronage to their obstinate refusal to follow him over sea: but furious as he was at their resistance, the archbishop's interposition condemned John still to wait for the hour of his revenge. In the spring of 1214 he crossed with what forces he could gather to Poitou, rallied its nobles round him, passed the Loire in triumph, and won back again Angers, the home of his race. At the same time Otto and the Count of Flanders, their German and Flemish knighthood strengthened by reinforcements from Boulogne as well as by a body of English troops under the Earl of Salisbury, threatened France from the north. For the moment Philip seemed lost: and yet on the fortunes of Philip hung the fortunes of English freedom. But in this crisis of her fate, France was true to herself and her king. From every borough of Northern France the townsmen marched to his rescue, and the village priests led their flocks to battle with the church-banners flying at their head. The two armies met at the close of July near the bridge of Bouvines, between Lille and Tournay, and from the first the day went against the allies. The Flemish knights were the first to fly; then the Germans in the center of the host were crushed by the overwhelming numbers of the French; last of all the English on the right of it were broken

by a fierce onset of the Bishop of Beauvais, who charged, mace in hand, and struck the Earl of Salisbury to the ground. The news of this complete overthrow reached John in the midst of his triumphs in the south, and scattered his hopes to the winds. He was at once deserted by the Poitevin nobles; and a hasty retreat alone enabled him to return in October, baffled and humiliated, to his island kingdom.

195. His return forced on the crisis to which events had so long been drifting. The victory at Bouvines gave strength to his opponents. The open resistance of the northern barons nerved the rest of their order to action. The great houses who had cast away their older feudal traditions for a more national policy were drawn by the crisis into close union with the families which had sprung from the ministers and councilors of the two Henries. To the first group belonged such men as Saher de Quinci, the Earl of Winchester, Geoffrey of Mandeville, Earl of Essex, the Earl of Clare, Fulk, Fitz-Warin, William Mallet, the houses of Fitz-Alan and Gant. Among the second group were Henry Bohun and Roger Bigod, the Earls of Hereford and Norfolk, the younger William Marshal, and Robert de Vere. Robert Fitz-Walter, who took the command of their united force, represented both parties equally, for he was sprung from the Norman house of Brionne, while the justiciar of Henry the Second, Richard de Lucy, had been his grandfather. Secretly, and on the pretext of pilgrimage, these nobles met at St. Edmundsbury, resolute to bear no longer with John's delays. If he refused to restore their liberties they

swore to make war on him till he confirmed them by charter under the king's seal, and they parted to raise forces with the purpose of presenting their demands at Christmas. John, knowing nothing of the coming storm, pursued his policy of winning over the church by granting it freedom of election, while he imbittered still more the strife with his nobles by demanding scutage from the northern nobles who had refused to follow him to Poitou. But the barons were now ready to act, and early in January in the memorable year 1215 they appeared in arms to lay, as they had planned, their demands before the king.

196. John was taken by surprise. He asked for a truce till Easter-tide, and spent the interval in fevered efforts to avoid the blow. Again he offered freedom to the church, and took vows as a Crusader against whom war was a sacrilege, while he called for a general oath of allegiance and fealty from the whole body of his subjects. But month after month only showed the king the uselessness of further resistance. Though Pandulf was with him, his vassalage had as yet brought little fruit in the way of aid from Rome; the commissioners whom he sent to plead his cause at the shire-courts brought back news that no man would help him against the charter that the barons claimed: and his efforts to detach the clergy from the league of his opponents utterly failed. The nation was against the king. He was far, indeed, from being utterly deserted. His ministers still clung to him, men such as Geoffrey de Lucy, Geoffrey de Furnival, Thomas Basset, and William Briwere, statesmen trained in the adminis-

trative school of his father and who, dissent as they might from John's mere oppression, still looked on the power of the crown as the one barrier against feudal anarchy: and beside them stood some of the great nobles of royal blood, his father's bastard Earl William of Salisbury, his cousin Earl William of Warenne, and Henry Earl of Cornwall, a grandson of Henry the First. With him too remained Ranulf, Earl of Chester, and the wisest and noblest of the barons, William Marshal the elder, Earl of Pembroke. William Marshal had shared in the rising of the younger Henry against Henry the Second, and stood by him as he died; he had shared in the overthrow of William Longchamp and in the outlawry of John. He was now an old man, firm, as we shall see in his after-course, to recall the government to the path of freedom and law, but shrinking from a strife which might bring back the anarchy of Stephen's day, and looking for reforms rather in the bringing constitutional pressure to bear upon the king than in forcing them from him by arms.

197. But cling as such men might to John, they clung to him rather as mediators than adherents. Their sympathies went with the demands of the barons when the delay which had been granted was over, and the nobles again gathered in arms at Brackley in Northamptonshire to lay their claims before the king. Nothing marks more strongly the absolutely despotic idea of his sovereignty which John had formed than the passionate surprise which breaks out in his reply. "Why do they not ask for my kingdom?" he cried. "I will never grant such

liberties as will make me a slave!" The imperialist theories of the lawyers of his father's court had done their work. Held at bay by the practical sense of Henry, they had told on the more headstrong nature of his sons. Richard and John both held with Glanvill that the will of the prince was the law of the land; and to fetter that will by the customs and franchises which were embodied in the barons' claims seemed to John a monstrous usurpation of his rights. But no imperialist theories had touched the minds of his people. The country rose as one man at his refusal. At the close of May London threw open her gates to the forces of the barons, now arrayed under Robert Fitz-Walter as "Marshal of the Army of God and Holy Church." Exeter and Lincoln followed the example of the capital; promises of aid came from Scotland and Wales; the northern barons marched hastily under Eustace de Vesci to join their comrades in London. Even the nobles who had as yet clung to the king, but whose hopes of conciliation were blasted by his obstinacy, yielded at last to the summons of the "Army of God." Pandulf, indeed, and Archbishop Langton still remained with John, but they counseled, as Earl Ranulf and William Marshal counseled, his acceptance of the charter. None, in fact, counseled its rejection save his new justiciar, the Poitevin Peter des Roches, and other foreigners, who knew the barons purposed driving them from the land. But even the number of these was small; there was a moment when John found himself with but seven knights at his back and before him a nation in arms. Quick as he was, he

had been taken utterly by surprise. It was in vain that, in the short respite he had gained from Christmas to Easter, he had summoned mercenaries to his aid and appealed to his new suzerain, the pope. Summons and appeal were alike too late. Nursing wrath in his heart, John bowed to necessity and called the barons to a conference on an island in the Thames, between Windsor and Staines, near a marshy meadow by the river side, the meadow of Runnymede. The king encamped on one bank of the river, the barons covered the flat of Runnymede on the other. Their delegates met on the 15th of July in the island between them, but the negotiations were a mere cloak to cover John's purpose of unconditional submission. The Great Charter was discussed and agreed to in a single day.

198. Copies of it were made and sent for preservation to the cathedrals and churches, and one copy may still be seen in the British Museum, injured by age and fire, but with the royal seal still hanging from the brown, shriveled parchment. It is impossible to gaze without reverence on the earliest monument of English freedom which we can see with our own eyes and touch with our own hands, the great charter to which, from age to age, men have looked back as the groundwork of English liberty. But in itself the charter was no novelty, nor did it claim to establish any new constitutional principles. The charter of Henry the First formed the basis of the whole, and the additions to it are, for the most part, formal recognitions of the judicial and administrative changes introduced by Henry the Second.

What was new in it was its origin. In form, like the charter on which it was based, it was nothing but a royal grant. In actual fact it was a treaty between the whole English people and its king. In it England found itself for the first time since the conquest a nation bound together by common national interests, by a common national sympathy. In words which almost close the charter, the "community of the whole land" is recognized as the great body from which the restraining power of the baronage takes its validity. There is no distinction of blood or class, of Norman or not Norman, of noble or not noble. All are recognized as Englishmen: the rights of all are owned as English rights. Bishops and nobles claimed and secured at Runnymede the rights, not of baron and churchman only, but those of freeholder and merchant, of townsman and villein. The provisions against wrong and extortion which the barons drew up as against the king for themselves, they drew up as against themselves for their tenants. Based, too, as it professed to be, on Henry's charter, it was far from being a mere copy of what had gone before. The vague expressions of the old charter were now exchanged for precise and elaborate provisions. The bonds of unwritten custom which the older grant did little more than recognize had proved too weak to hold the Angevins; and the baronage set them aside for the restraints of written and defined law. It is in this way that the Great Charter marks the transition from the age of traditional rights, preserved in the nation's memory and officially declared by the primate, to the age of written

legislation, of parliaments and statutes, which was to come.

199. Its opening, indeed, is in general terms. The church had shown its power of self-defense in the struggle over the interdict, and the clause which recognized its rights alone retained the older and general form. But all vagueness ceases when the charter passes on to deal with the rights of Englishmen at large, their right to justice, to security of person and property, to good government. "No freeman," ran a memorable article that lies at the base of our whole judicial system, "shall be seized or imprisoned, or dispossessed, or outlawed, or in any way brought to ruin: we will not go against any man nor send against him, save by legal judgment of his peers or by the law of the land." "To no man will we sell," runs another, "or deny, or delay, right or justice." The great reforms of the past reigns were now formally recognized; judges of assize were to hold their circuits four times in the year, and the King's Court was no longer to follow the king in his wanderings over the realm, but to sit in a fixed place. But the denial of justice under John was a small danger compared with the lawless exactions both of himself and his predecessor. Richard had increased the amount of the scutage which Henry the Second had introduced, and applied it to raise funds for his ransom. He had restored the Danegeld, or land-tax, so often abolished, under the new name of "carucage;" had seized the wool of the Cistercians and the plate of the churches, and rated movables as well as land. John had again

raised the rate of scutage, and imposed aids, fines, and ransoms at his pleasure without counsel of the baronage. The Great Charter met this abuse by a provision on which our constitutional system rests. "No scutage or aid [other than the three customary feudal aids] shall be imposed in our realm save by the common council of the realm," and to this Great Council it was provided that prelates and the greater barons should be summoned by special writ, and all tenants in chief through the sheriffs and bailiffs at least forty days before. The provision defined what had probably been the common usage of the realm; but the definition turned it into a national right, a right so momentous that on it rests our whole parliamentary life. Even the baronage seem to have been startled when they realized the extent of their claim; and the provision was dropped from the later issue of the charter at the outset of the next reign. But the clause brought home to the nation at large their possession of a right which became dearer as years went by. More and more clearly the nation discovered that in these simple words lay the secret of political power. It was the right of self-taxation that England fought for under Earl Simon as she fought for it under Hampden. It was the establishment of this right which established English freedom.

200. The rights which the barons claimed for themselves they claimed for the nation at large. The boon of free and unbought justice was a boon for all, but a special provision protected the poor. The forfeiture of the freeman on conviction of felony was never to include his tenement, or that of the

merchant his wares, or that of the countryman, as Henry the Second had long since ordered, his wain. The means of actual livelihood were to be left even to the worst. The seizure of provisions, the exaction of forced labor, by royal officers was forbidden; and the abuses of the forest system were checked by a clause which disafforested all forests made in John's reign. The under-tenants were protected against all lawless exactions of their lords in precisely the same terms as these were protected against the lawless exactions of the crown. The towns were secured in the enjoyment of their municipal privileges, their freedom from arbitrary taxation, their rights of justice, of common deliberation, of regulation of trade. "Let the city of London have all its old liberties and its free customs, as well by land as by water. Besides this, we will and grant that all other cities, and boroughs, and towns, and ports, have all their liberties and free customs." The influence of the trading class is seen in two other enactments by which freedom of journeying and trade was secured to foreign merchants, and an uniformity of weights and measures was ordered to be enforced throughout the realm.

201. There remained only one question, and that the most difficult of all; the question how to secure this order which the charter established in the actual government of the realm. It was easy to sweep away the immediate abuses; the hostages were restored to their homes, the foreigners banished by a clause in the charter from the country. But it was less easy to provide means for the control of a king whom no

man could trust. By the treaty as settled at Runnymede a council of twenty-four barons were to be chosen from the general body of their order to enforce on John the observance of the charter, with the right of declaring war on the king should its provisions be infringed; and it was provided that the charter should not only be published throughout the whole country, but sworn to at every hundred-mote and town-mote by order from the king. "They have given me four-and-twenty over-kings," cried John in a burst of fury, flinging himself on the floor and gnawing sticks and straw in his impotent rage. But the rage soon passed into the subtle policy of which he was a master. After a few days he left Windsor; and lingered for months along the southern shore, waiting for news of the aid he had solicited from Rome and from the Continent. It was not without definite purpose that he had become the vassal of the papacy. While Innocent was dreaming of a vast Christian Empire with the pope at its head to enforce justice and religion on his under-kings, John believed that the papal protection would enable him to rule as tyrannically as he would. The thunders of the papacy were to be ever at hand for his protection, as the armies of England are at hand to protect the vileness and oppression of a Turkish Sultan or a Nizam of Hyderabad. His envoys were already at Rome, pleading for a condemnation of the charter. The after-action of the papacy shows that Innocent was moved by no hostility to English freedom. But he was indignant that a matter which might have been brought before his court of appeal

as over-lord should have been dealt with by armed revolt, and in this crisis both his imperious pride and the legal tendency of his mind swayed him to the side of the king who submitted to his justice. He annulled the Great Charter by a bull in August, and at the close of the year excommunicated the barons.

202. His suspension of Stephen Langton from the exercise of his office as primate was a more fatal blow. Langton hurried to Rome, and his absence left the barons without a head at a moment when the very success of their efforts was dividing them. Their forces were already disorganized when autumn brought a host of foreign soldiers from over sea to the king's standard. After starving Rochester into submission John found himself strong enough to march ravaging through the midland and northern counties, while his mercenaries spread like locusts over the whole face of the land. From Berwick the king turned back triumphant to coop up his enemies in London, while fresh papal excommunications fell on the barons and the city. But the burghers set Innocent at defiance. "The ordering of secular matters appertaineth not to the pope," they said, in words that seem like mutterings of the coming Lollardism; and at the advice of Simon Langton, the archbishop's brother, bells swung out, and mass was celebrated as before. Success, however, was impossible for the undisciplined militia of the country and the towns against the trained forces of the king, and despair drove the barons to listen to Fitz-Walter and the French party in their ranks, and to

seek aid from over sea. Philip had long been waiting the opportunity for his revenge upon John. In the April of 1216 his son Lewis accepted the crown in spite of Innocent's excommunications, and landed soon after in Kent with a considerable force. As the barons had foreseen, the French mercenaries who constituted John's host refused to fight against the French sovereign, and the whole aspect of affairs was suddenly reversed. Deserted by the bulk of his troops, the king was forced to fall rapidly back on the Welsh Marches, while his rival entered London and received the submission of the larger part of England. Only Dover held out obstinately against Lewis. By a series of rapid marches John succeeded in distracting the plans of the barons and in relieving Lincoln; then, after a short stay at Lynn, he crossed the Wash in a fresh movement to the north. In crossing, however, his army was surprised by the tide, and his baggage with the royal treasures washed away. Fever seized the baffled tyrant as he reached the Abbey of Swineshead: his sickness was inflamed by a gluttonous debauch: and on the 19th of October John breathed his last at Newark.

CHAPTER II.

HENRY THE THIRD.

1216-1232

203. The death of John changed the whole face of English affairs. His son, Henry of Winchester, was but nine years old, and the pity which was

stirred by the child's helplessness was aided by a sense of injustice in burdening him with the iniquity of his father. At his death John had driven from his side even the most loyal of his barons; but William Marshal had clung to him to the last, and with him was Gualo, the legate of Innocent's successor, Honorius the Third. The position of Gualo as representative of the papal over-lord of the realm was of the highest importance, and his action showed the real attitude of Rome toward English freedom. The boy-king was hardly crowned at Gloucester when legate and earl issued in his name the very charter against which his father had died fighting. Only the clauses which regulated taxation and the summoning of Parliament were as yet declared to be suspended. The choice of William Marshal as "governor of king and kingdom" gave weight to this step; and its effect was seen when the contest was renewed in 1217. Lewis was at first successful in the eastern counties, but the political reaction was aided by jealousies which broke out between the English and French nobles in his force, and the first drew gradually away from him. So general was the defection that at the opening of summer William Marshal felt himself strong enough for a blow at his foes. Lewis himself was investing Dover, and a joint army of French and English barons under the Count of Perche and Robert Fitz-Walter was besieging Lincoln, when, gathering troops rapidly from the royal castles, the regent marched to the relief of the latter town. Cooped up in its narrow streets, and attacked at once by the earl and the garrison,

the barons fled in utter rout; the Count of Perche fell on the field; Robert Fitz-Walter was taken prisoner. Lewis at once retreated on London and called for aid from France. But a more terrible defeat crushed his remaining hopes. A small English fleet which set sail from Dover under Hubert de Burgh fell boldly on the reinforcements which were crossing under escort of Eustace the Monk, a well-known freebooter of the channel. Some incidents of the fight light up for us the naval warfare of the time. From the decks of the English vessels bowmen poured their arrows into the crowded transports, others hurled quicklime into their enemy's faces, while the more active vessels crashed with their armed prows into the sides of the French ships. The skill of the mariners of the Cinque Ports turned the day against the larger forces of their opponents, and the fleet of Eustace was utterly destroyed. The royal army at once closed upon London, but resistance was really at an end. By a treaty concluded at Lambeth in September, Lewis promised to withdraw from England on payment of a sum which he claimed as debt; his adherents were restored to their possessions, the liberties of London and other towns confirmed, and the prisoners on either side set at liberty! A fresh issue of the charter, though in its modified form, proclaimed yet more clearly the temper and policy of the Earl Marshal.

204. His death at the opening of 1219, after a year spent in giving order to the realm, brought no change in the system he had adopted. The control of affairs passed into the hands of a new legate, Pandulf, of

Stephen Langton, who had just returned forgiven from Rome, and of the justiciar, Hubert de Burgh. It was a time of transition, and the temper of the justiciar was eminently transitional. Bred in the school of Henry the Second, Hubert had little sympathy with national freedom, and, though resolute to maintain the charter, he can have had small love for it; his conception of good government, like that of his master, lay in a wise personal administration, in the preservation of order and law. But he combined with this a thoroughly English desire for national independence, a hatred of foreigners, and a reluctance to waste English blood and treasure in Continental struggles. Able as he proved himself, his task was one of no common difficulty. He was hampered by the constant interference of Rome. A papal legate resided at the English Court, and claimed a share in the administration of the realm as the representative of its over-lord and as guardian of the young sovereign. A foreign party, too, had still a footing in the kingdom, for William Marshal had been unable to rid himself of men like Peter des Roches or Faukes de Breauté, who had fought on the royal side in the struggle against Lewis. Hubert had to deal, too, with the anarchy which that struggle left behind it. From the time of the conquest the center of England had been covered with the domains of great houses, whose longings were for feudal independence, and whose spirit of revolt had been held in check partly by the stern rule of the kings and partly by the rise of a baronage sprung from the court and settled for the most part in the north. The oppression of John

united both the earlier and these newer houses in the struggle for the charter. But the character of each remained unchanged, and the close of the struggle saw the feudal party break out in their old lawlessness and defiance of the crown.

205. For a time the anarchy of Stephen's days seemed to revive. But the justiciar was resolute to crush it, and he was backed by the strenuous efforts of Stephen Langton. A new and solemn coronation of the young king in 1220 was followed by a demand for the restoration of the royal castles which had been seized by the barons and foreigners. The Earl of Chester, the head of the feudal baronage, though he rose in armed rebellion, quailed before the march of Hubert and the primate's threats of excommunication. A more formidable foe remained in the Frenchman, Faukes de Breauté, the sheriff of six counties, with six royal castles in his hands, and allied both with the rebel barons and Llewelyn of Wales. But in 1224 his castle of Bedford was besieged for two months; and on its surrender the stern justice of Hubert hung the twenty-four knights and their retainers, who formed the garrison, before its walls. The blow was effectual; the royal castles were surrendered by the barons, and the land was once more at peace. Freed from foreign soldiery, the country was also freed from the presence of the foreign legate. Langton wrested a promise from Rome that so long as he lived no future legate should be sent to England, and with Pandulf's resignation in 1221 the direct interference of the papacy in the government of the realm came to an end.

But even these services of the primate were small compared with his services to English freedom. Throughout his life the charter was the first object of his care. The omission of the articles which restricted the royal power over taxation in the charter, which was published at Henry's accession in 1216, was doubtless due to the archbishop's absence and disgrace at Rome. The suppression of disorder seems to have revived the older spirit of resistance among the royal ministers; for when Langton demanded a fresh confirmation of the charter in Parliament at London, William Brewer, one of the king's councilors, protested that it had been extorted by force, and was without legal validity. "If you loved the king, William," the primate burst out in anger, "you would not throw a stumbling-block in the way of the peace of the realm." The young king was cowed by the archbishop's wrath, and promised observance of the charter. But it may have been their consciousness of such a temper among the royal councilors that made Langton and the baronage demand, two years later, a fresh promulgation of the charter as the price of a subsidy, and Henry's assent established the principle, so fruitful of constitutional results, that redress of wrongs precedes a grant to the crown.

206. These repeated sanctions of the charter and the government of the realm year after year, in accordance with its provisions, were gradually bringing the new freedom home to the mass of Englishmen. But the sense of liberty was at this time quickened and intensified by a religious movement

which stirred English society to its depths. Never had the priesthood wielded such boundless power over Christendom as in the days of Innocent the Third and his immediate successors. But its religious hold on the people was loosening day by day. The old reverence for the papacy was fading away before the universal resentment at its political ambition, its lavish use of interdict and excommunication for purely secular ends, its degradation of the most sacred sentences into means of financial extortion. In Italy the struggle that was opening between Rome and Frederick the Second disclosed a spirit of skepticism which, among the Epicurean poets of Florence, denied the immortality of the soul, and attacked the very foundations of the faith itself. In Southern Gaul, Languedoc and Provence had embraced the heresy of the Albigenses and thrown off all allegiance to the papacy. Even in England, though there were no signs as yet of religious revolt, and though the political action of Rome had been in the main on the side of freedom, there was a spirit of resistance to its interference with national concerns which broke out in the struggle against John. "The pope has no part in secular matters," had been the reply of London to the interdict of Honorius. And within the English church itself there was much call for reform. Its attitude in the strife for the charter, as well as the after work of the primate, had made it more popular than ever; but its spiritual energy was less than its political. The disuse of preaching, the decline of the monastic orders into rich land-owners, the non-residence and ignorance of the parish-

priests, lowered the religious influence of the clergy. The abuses of the time foiled even the energy of such men as Bishop Grosseteste, of Lincoln. His constitutions forbid the clergy to haunt taverns, to gamble, to share in drinking bouts, to mix in the riot and debauchery of the life of the baronage. But such prohibitions witness to the prevalence of the evils they denounce. Bishops and deans were still withdrawn from their ecclesiastical duties to act as ministers, judges, or ambassadors. Benefices were heaped in hundreds at a time on royal favorites like John Mansel. Abbeys absorbed the tithes of parishes and then served them by half-starved vicars, while exemptions purchased from Rome shielded the scandalous lives of canons and monks from all episcopal discipline. And behind all this was a group of secular statesmen and scholars, the successors of such critics as Walter Map, waging, indeed, no open warfare with the church, but noting with bitter sarcasm its abuses and its faults.

207. To bring the world back again within the pale of the church was the aim of two religious orders which sprang suddenly to life at the opening of the thirteenth century. The zeal of the Spaniard Dominic was roused at the sight of the lordly prelates who sought by fire and sword to win the Albigensian heretics to the faith. "Zeal," he cried, "must be met by zeal, lowliness by lowliness, false sanctity by real sanctity, preaching lies by preaching truth." His fiery ardor and rigid orthodoxy were seconded by the mystical piety, the imaginative enthusiasm of Francis of Assisi. The life of Francis

falls like a stream of tender light across the darkness of the time. In the frescoes of Giotto or the verse of Dante we see him take poverty for his bride. He strips himself of all, he flings his very clothes at his father's feet, that he may be one with Nature and God. His passionate verse claims the moon for his sister and the sun for his brother, he calls on his brother the Wind, and his sister the Water. His last faint cry was a "Welcome, Sister Death!" Strangely as the two men differed from each other, their aim was the same—to convert the heathen, to extirpate heresy, to reconcile knowledge with orthodoxy, above all to carry the Gospel to the poor. The work was to be done by an utter reversal of the older monasticism, by seeking personal salvation in effort for the salvation of their fellow-men, by exchanging the solitary of the cloister for the preacher, the monk for the "brother" or friar. To force the new "brethren" into entire dependence on those among whom they labored, their vow of poverty was turned into a stern reality; the "begging friars" were to subsist solely on alms, they might possess neither money nor lands, the very houses in which they lived were to be held in trust for them by others. The tide of popular enthusiasm which welcomed their appearance swept before it the reluctance of Rome, the jealousy of the older orders, the opposition of the parochial priesthood. Thousands of brethren gathered in a few years round Francis and Dominic; and the begging preachers, clad in coarse frock of serge with a girdle of rope round their waist, wandered barefooted as mission-

aries over Asia, battled with heresy in Italy and Gaul, lectured in the universities, and preached and toiled among the poor.

208. To the towns especially the coming of the friars was a religious revolution. They had been left for the most part to the worst and most ignorant of the clergy, the mass-priest whose sole subsistence lay in his fees. Burgher and artisan were left to spell out what religious instruction they might from the gorgeous ceremonies of the church's ritual or the scriptural pictures and sculptures which were graven on the walls of its minsters. We can hardly wonder at the burst of enthusiasm which welcomed the itinerant preacher whose fervid appeal, coarse wit, and familiar story brought religion into the fair and the market-place. In England, where the Black Friars of Dominic arrived in 1221, the Gray Friars of Francis in 1224, both were received with the same delight. As the older orders had chosen the country, the friars chose the town. They had hardly landed at Dover before they made straight for London and Oxford. In their ignorance of the road the first two gray brothers lost their way in the woods between Oxford and Baldon, and, fearful of night and of the floods, turned aside to a grange of the monks of Abingdon. Their ragged clothes and foreign gestures, as they prayed for hospitality, led the porter to take them for jongleurs, the jesters and jugglers of the day, and the news of this break in the monotony of their lives brought prior, sacrist, and cellarer to the door to welcome them and witness their tricks. The disappointment was too

much for the temper of the monks, and the brothers were kicked roughly from the gate to find their night's lodgings under a tree. But the welcome of the townsmen made up everywhere for the ill-will and opposition of both clergy and monks. The work of the friars was physical as well as moral. The rapid progress of population within the boroughs had outstripped the sanitary regulations of the Middle Ages, and fever or plague or the more terrible scourge of leprosy festered in the wretched hovels of the suburbs. It was to haunts such as these that Francis had pointed his disciples, and the gray brethren at once fixed themselves in the meanest and poorest quarters of each town. Their first work lay in the noisome lazar-houses; it was amongst the lepers that they commonly chose the site of their homes. At London they settled in the shambles of Newgate; at Oxford they made their way to the swampy ground between its walls and the streams of Thames. Huts of mud and timber, as mean as the huts around them, rose within the rough fence and ditch that bounded the friary. The order of Francis made a hard fight against the taste for sumptuous buildings and for greater personal comfort which characterized the time. "I didn't enter into religion to build walls," protested an English provincial when the brethren pressed for a larger house; and Albert of Pisa ordered a stone cloister, which the burgesses of Southampton had built for them, to be razed to the ground. "You need no little mountains to lift your heads to heaven," was his scornful reply to a claim for pillows. None but

the sick went shod. An Oxford friar found a pair of shoes one morning, and wore them at matins. At night he dreamed that robbers leapt on him in a dangerous pass between Gloucester and Oxford with shouts of "Kill, kill!" "I am a friar," shrieked the terror-stricken brother. "You lie," was the instant answer, "for you go shod." The friar lifted up his foot in disproof, but the shoe was there. In an agony of repentance he woke and flung the pair out of the window.

209. It was with less success that the order struggled against the passion of the time for knowledge. Their vow of poverty, rigidly interpreted as it was by their founders, would have denied them the possession of books or materials for study. "I am your breviary," Francis cried passionately to a novice who asked for a psalter. When the news of a great doctor's reception was brought to him at Paris, his countenance fell. "I am afraid, my son," he replied, "that such doctors will be the destruction of my vineyard. They are the true doctors who with the meekness of wisdom show forth good works for the edification of their neighbors." One kind of knowledge indeed their work almost forced on them. The popularity of their preaching soon led them to the deeper study of theology; within a short time after their establishment in England we find as many as thirty readers or lecturers appointed at Hereford, Leicester, Bristol, and other places, and a regular succession of teachers provided at each university. The Oxford Dominicans lectured on theology in the nave of their new church, while philoso-

phy was taught in the cloister. The first provincial of the Gray Friars built a school in their Oxford house and persuaded Grosseteste to lecture there. His influence after his promotion to the see of Lincoln was steadily exerted to secure theological study among the friars, as well as their establishment in the university; and in this work he was ably seconded by his scholar, Adam Marsh, or de Marisco, under whom the Franciscan school at Oxford attained a reputation throughout Christendom. Lyons, Paris, and Köln borrowed from it their professors; it was through its influence indeed that Oxford rose to a position hardly inferior to that of Paris itself as a center of scholasticism. But the result of this powerful impulse was soon seen to be fatal to the wider intellectual activity which had till now characterized the universities. Theology in its scholastic form resumed its supremacy in the schools. Its only efficient rivals were practical studies such as medicine and law. The last, as he was by far the greatest, instance of the freer and wider culture which had been the glory of the last century was Roger Bacon, and no name better illustrates the rapidity and completeness with which it passed away.

210. Roger Bacon was the child of royalist parents who were driven into exile and reduced to poverty by the civil wars. From Oxford, where he studied under Edmund of Abingdon, to whom he owed his introduction to the works of Aristotle, he passed to the university of Paris and spent his whole heritage there in costly studies and experiments. "From my youth up," he writes, "I have labored at the

sciences and tongues. I have sought the friendship of all men among the Latins who had any reputation for knowledge. I have caused youths to be instructed in languages, geometry, arithmetic, the construction of tables and instruments, and many needful things besides." The difficulties in the way of such studies as he had resolved to pursue were immense. He was without instruments or means of experiment. "Without mathematical instruments no science can be mastered," he complains afterwards, "and these instruments are not to be found among the Latins, nor could they be made for two or three hundred pounds. Besides, better tables are indispensably necessary, tables on which the motions of the heavens are certified from the beginning to the end of the world without daily labor, but these tables are worth a king's ransom and could not be made without a vast expense. I have often attempted the composition of such tables, but could not finish them through failure of means, and the folly of those whom I had to employ." Books were difficult and sometimes even impossible to procure. "The scientific works of Aristotle, of Avicenna, of Seneca, of Cicero, and other ancients cannot be had without great cost; their principal works have not been translated into Latin, and copies of others are not to be found in ordinary libraries or elsewhere. The admirable books of Cicero de Republica are not to be found anywhere, so far as I can hear, though I have made anxious inquiry for them in different parts of the world, and by various messengers. I could never find the works of Seneca, though I made dili-

gent search for them during twenty years and more. And so it is with many more most useful books connected with the science of morals." It is only words like these of his own that bring home to us the keen thirst for knowledge, the patience, the energy of Roger Bacon. He returned as a teacher to Oxford, and a touching record of his devotion to those whom he taught remains in the story of John of London, a boy of fifteen, whose ability raised him above the general level of his pupils. "When he came to me as a poor boy," says Bacon in recommending him to the pope, "I caused him to be nurtured and instructed for the love of God, especially since for aptitude and innocence I have never found so towardly a youth. Five or six years ago I caused him to be taught in languages, mathematics, and optics, and I have gratuitously instructed him with my own lips since the time that I received your mandate. There is no one at Paris who knows so much of the root of philosophy, though he has not produced the branches, flowers, and fruit, because of his youth, and because he has had no experience in teaching. But he has the means of surpassing all the Latins if he live to grow old and goes on as he has begun."

211. The pride with which he refers to his system of instruction was justified by the wide extension which he gave to scientific teaching in Oxford. It is probably of himself that he speaks when he tells us that "the science of optics has not hitherto been lectured on at Paris or elsewhere among the Latins, save twice at Oxford." It was a science on which

he had labored for ten years. But his teaching seems to have fallen on a barren soil. From the moment when the friars settled in the universities, scholasticism absorbed the whole mental energy of the student world. The temper of the age was against scientific or philosophical studies. The older enthusiasm for knowledge was dying down; the study of law was the one source of promotion, whether in Church or state; philosophy was discredited, literature in its purer forms became almost extinct. After forty years of incessant study, Bacon found himself, in his own words, "unheard, forgotten, buried." He seems at one time to have been wealthy, but his wealth was gone. "During the twenty years that I have specially labored in the attainment of wisdom, abandoning the path of common men, I have spent on these pursuits more than two thousand pounds, not to mention the cost of books, experiments, instruments, tables, the acquisition of languages, and the like. Add to all this the sacrifices I have made to procure the friendship of the wise and to obtain well-instructed assistants." Ruined and baffled in his hopes, Bacon listened to the counsels of his friend Grosseteste and renounced the world. He became a friar of the order of St. Francis, an order where books and study were looked upon as hindrances to the work which it had specially undertaken, that of preaching among the masses of the poor. He had written little. So far was he from attempting to write, that his new superiors prohibited him from publishing anything under pain of forfeiture of the book and penance of

bread and water. But we can see the craving of his mind, the passionate instinct of creation which marks the man of genius, in the joy with which he seized a strange opportunity that suddenly opened before him. "Some few chapters on different subjects, written at the entreaty of friends," seem to have got abroad, and were brought by one of the Pope's chaplains under the notice of Clement IV. The pope at once invited Bacon to write. But difficulties stood in his way. Materials, transcription, and other expenses for such a work as he projected would cost at least £60, and the pope sent not a penny. Bacon begged help from his family, but they were ruined like himself. No one would lend to a mendicant friar, and when his friends raised the money he needed, it was by pawning their goods in the hope of repayment from Clement. Nor was this all; the work itself, abstruse and scientific as was its subject, had to be treated in a clear and popular form to gain the papal ear. But difficulties which would have crushed another man only roused Roger Bacon to an almost superhuman energy. By the close of 1267 the work was done. The "greater work," itself in modern form a closely printed folio, with its successive summaries and appendices in the "lesser" and the "third" works (which make a good octavo more), were produced and forwarded to the pope within fifteen months.

212. No trace of this fiery haste remains in the book itself. The "Opus Majus" is alike wonderful in plan and detail. Bacon's main purpose, in the words of Dr. Whewell, is "to urge the necessity of

a reform in the mode of philosophizing, to set forth the reasons why knowledge had not made a greater progress, to draw back attention to sources of knowledge which had been unwisely neglected, to discover other sources which were yet wholly unknown, and to animate men to the undertaking by a prospect of the vast advantages which it offered." The development of his scheme is on the largest scale; he gathers together the whole knowledge of his time on every branch of science which it possessed, and as he passes them in review he suggests improvements in nearly all. His labors, both here and in his after-works, in the field of grammar and philology, his perseverance in insisting on the necessity of correct texts, of an accurate knowledge of languages, of an exact interpretation, are hardly less remarkable than his scientific investigations. From grammar he passes to mathematics, from mathematics to experimental philosophy. Under the name of mathematics indeed was included all the physical science of the time. "The neglect of it for nearly thirty or forty years," pleads Bacon passionately, "hath nearly destroyed the entire studies of Latin Christendom. For he who knows not mathematics cannot know any other sciences; and what is more, he cannot discover his own ignorance or find its proper remedies." Geography, chronology, arithmetic, and music are brought into something of scientific form, and like rapid sketches are given of the question of climate, hydrography, geography, and astrology. The subject of optics, his own especial study, is treated with greater fullness; he enters

into the question of the anatomy of the eye, besides discussing problems which lie more strictly within the province of optical science. In a word, the "greater work," to borrow the phrase of Dr. Whewell, is "at once the encyclopædia and the novum organum of the thirteenth century." The whole of the after-works of Roger Bacon—and treatise after treatise has of late been disentombed from our libraries—are but developments in detail of the magnificent conception he laid before Clement. Such a work was its own great reward. From the world around Roger Bacon could look for and found small recognition. No word of acknowledgment seems to have reached its author from the pope. If we may credit a more recent story, his writings only gained him a prison from his order. "Unheard, forgotten, buried," the old man died as he had lived, and it has been reserved for later ages to roll away the obscurity that had gathered round his memory, and to place first in the great roll of modern science the name of Roger Bacon.

213. The failure of Bacon shows the overpowering strength of the drift towards the practical studies, and above all towards theology in its scholastic guise. Aristotle, who had been so long held at bay as the most dangerous foe of mediæval faith, was now turned, by the adoption of his logical method in the discussion and definition of theological dogma, into its unexpected ally. It was this very method that led to "that unprofitable subtlety and curiosity" which Lord Bacon notes as the vice of the scholastic philosophy. But "certain it is"—to con-

tinue the same great thinker's comment on the friars—"that if these schoolmen to their great thirst of truth and unwearied travel of wit had joined variety of reading and contemplation, they had proved excellent lights to the great advancement of all learning and knowledge." What, amidst all their errors, they undoubtedly did was to insist on the necessity of rigid demonstration and a more exact use of words, to introduce a clear and methodical treatment of all subjects into discussion, and above all to substitute an appeal to reason for unquestioning obedience to authority. It was by this critical tendency, by the new clearness and precision which scholasticism gave to inquiry, that in spite of the trivial questions with which it often concerned itself it trained the human mind through the next two centuries to a temper which fitted it to profit by the great disclosure of knowledge that brought about the renascence. And it is to the same spirit of fearless inquiry, as well as to the strong popular sympathies which their very constitution necessitated, that we must attribute the influence which the friars undoubtedly exerted in the coming struggle between the people and the crown. Their position is clearly and strongly marked throughout the whole contest. The University of Oxford, which soon fell under the direction of their teaching, stood first in its resistance to papal exactions and its claim of English liberty. The classes in the towns, on whom the influence of the friars told most directly, were steady supporters of freedom throughout the barons' wars.

214. Politically, indeed, the teaching of the

schoolmen was of immense value, for it sat on a religious basis, and gave an intellectual form to the constitutional theory of the relations between king and people, which was slowly emerging from the struggle with the crown. In assuming the responsibility of a Christian king to God for the good government of his realm, in surrounding the pledges, whether of ruler or ruled, with religious sanctions, the mediæval church entered its protest against any personal despotism. The schoolmen pushed further still to the doctrine of a contract between king and people; and their trenchant logic made short work of the royal claims to irresponsible power and unquestioning obedience. "He who would be in truth a king," ran a poem which embodies their teaching at this time in pungent verse, "he is a 'free king' indeed if he rightly rule himself and his realm. All things are lawful to him for the government of his realm, but nothing is lawful to him for its destruction. It is one thing to rule according to a king's duty, another to destroy a kingdom by resisting the law." "Let the community of the realm advise, and let it be known what the generality, to whom their laws are best known, think on the matter. They who are ruled by the laws know those laws best; they who make daily trial of them are best acquainted with them; and since it is their own affairs which are at stake, they will take the more care and will act with an eye to their own peace." "It concerns the community to see what sort of men ought justly to be chosen for the weal of the realm." The constitutional restrictions on the royal author-

ity, the right of the whole nation to deliberate and decide on its own affairs, and to have a voice in the selection of the administrators of government, had never been so clearly stated before. But the importance of the friar's work lay in this, that the work of the scholar was supplemented by that of the popular preacher. The theory of government wrought out in cell and lecture room was carried over the length and breadth of the land, by the mendicant brother, begging his way from town to town, chatting with farmer or housewife at the cottage door, and setting up his portable pulpit in village green or market-place. His open-air sermons, ranging from impassioned devotion to coarse story and homely mother-wit, became the journals as well as the homilies of the day; political and social questions found place in them side by side with spiritual matters; and the rudest countryman learned his tale of a king's oppression or a patriot's hopes as he listened to the rambling, passionate, humorous discourse of the begging friar.

215. Never had there been more need of such a political education of the whole people than at the moment we have reached. For the triumph of the Charter, the constitutional government of governor and justiciar, had rested mainly on the helplessness of the king. As boy or youth, Henry the Third had bowed to the control of William Marshal, or Langton, or Hubert de Burgh. But he was now grown to manhood, and his character was from this hour to tell on the events of his reign. From the cruelty, the lust, the impiety of his father, the young king

was absolutely free. There was a geniality, a vivacity, a refinement in his temper which won a personal affection for him even in his worst days from some who bitterly censured his rule. The abbey-church of Westminster, with which he replaced the ruder minster of the Confessor, remains a monument of his artistic taste. He was a patron and friend of men of letters, and himself skilled in the "gay science" of the troubadour. But of the political capacity which was the characteristic of his house, he had little or none. Profuse, changeable, false from sheer meanness of spirit, impulsive alike in good and ill, unbridled in temper and tongue, reckless in insult and wit, Henry's delight was in the display of an empty and prodigal magnificence; his one notion of government was a dream of arbitrary power. But frivolous as the king's mood was, he clung with a weak man's obstinacy to a distinct line of policy; and this was the policy, not of Hubert or Langton, but of John. He cherished the hope of recovering his heritage across the sea. He believed in the absolute power of the crown, and looked on the pledges of the Great Charter as promises which force had wrested from the king, and which force could wrest back again. France was telling more and more on English opinion, and the claim which the French kings were advancing to a divine and absolute power gave a sanction in Henry's mind to the claim of absolute authority which was still maintained by his favorite advisers in the royal council. Above all he clung to the alliance with the papacy. Henry was personally devout, and his de-

votion only bound him the more firmly to his father's system of friendship with Rome. Gratitude and self-interest alike bound him to the papal see. Rome had saved him from ruin as a child; its legate had set the crown on his head; its threats and excommunications had foiled Lewis, and built up again a royal party. Above all, it was Rome which could alone free him from his oath to the Charter, and which could alone defend him if, like his father, he had to front the baronage in arms.

216. His temper was now to influence the whole system of government. In 1227 Henry declared himself of age; and though Hubert still remained justiciar, every year saw him more powerless in his struggle with the tendencies of the king. The death of Stephen Langton in 1228 was a yet heavier blow to English freedom. In persuading Rome to withdraw her legate the primate had averted a conflict between the national desire for self-government and the papal claims of overlordship. But his death gave the signal for a more serious struggle, for it was in the oppression of the Church of England by the popes through the reign of Henry that the little rift first opened which was destined to widen into the gulf that parted the one from the other at the Reformation. In the medieval theory of the papacy, as Innocent and his successors held it, Christendom, as a spiritual realm of which the popes were the head, took the feudal form of the secular realms which lay within its pale. The pope was its sovereign, the bishops were his barons, and the clergy were his under-vassals. As the king demanded aids and sub-

sidies in case of need from his liegemen, so in the theory of Rome might the head of the church demand aid in need from the priesthood. And at this moment the need of the popes was sore. Rome had plunged into her desperate conflict with the emperor, Frederick the Second, and was looking everywhere for the means of recruiting her drained exchequer. On England she believed herself to have more than a spiritual claim for support. She regarded the kingdom as a vassal kingdom, and as bound to aid its overlord. It was only by the promise of a heavy subsidy that Henry, in 1229, could buy the papal confirmation of Langton's successor. But the baronage was of other mind than Henry as to this claim of overlordship, and the demand of an aid to Rome from the laity was at once rejected by them. Her spiritual claim over the allegiance of the clergy, however, remained to fall back upon, and the clergy were in the pope's hand. Gregory the Ninth had already claimed for the papal see a right of nomination to some prebends in each cathedral church; he now demanded a tithe of all the movables of the priesthood, and a threat of excommunication silenced their murmurs. Exaction followed exaction as the needs of the papal treasury grew greater. The very rights of lay patrons were set aside, and under the name of "reserves" presentations to English benefices were sold in the papal market, while Italian clergy were quartered on the best livings of the church.

217. The general indignation at last found vent in a wide conspiracy. In 1231, letters from "the whole body of those who prefer to die rather than be

ruined by the Romans" were scattered over the kingdom by armed men; tithes gathered for the pope or the foreign priests were seized and given to the poor; the papal collectors were beaten and their bulls trodden under foot. The remonstrances of Rome only made clearer the national character of the movement; but as inquiry went on, the hand of the justiciar himself was seen to have been at work. Sheriffs had stood idly by while violence was done; royal letters had been shown by the rioters as approving their acts; and the pope openly laid the charge of the outbreak on the secret connivance of Hubert de Burgh. No charge could have been more fatal to Hubert in the mind of the king. But he was already in full collision with the justiciar on other grounds. Henry was eager to vindicate his right to the great heritage his father had lost: the Gascons, who still clung to him, not because they loved England, but because they hated France, spurred him to war; and in 1229 a secret invitation came from the Norman barons. But while Hubert held power no serious effort was made to carry on a foreign strife. The Norman call was rejected through his influence, and when a great armament gathered at Portsmouth for a campaign in Poitou, it dispersed for want of transport and supplies. The young king drew his sword and rushed madly on the justiciar, charging him with treason and corruption by the gold of France. But the quarrel was appeased and the expedition deferred for the year. In 1230 Henry actually took the field in Britanny and Poitou, but the failure of the campaign was again laid at the door

of Hubert, whose opposition was said to have prevented a decisive engagement. It was at this moment that the papal accusation filled up the measure of Henry's wrath against his minister. In the summer of 1232 he was deprived of his office of justiciar, and dragged from a chapel at Brentwood, where threats of death had driven him to take sanctuary. A smith who was ordered to shackle him stoutly refused. "I will die any death," he said, "before I put iron on the man who freed England from the stranger and saved Dover from France." The remonstrances of the Bishop of London forced the king to replace Hubert in sanctuary, but hunger compelled him to surrender; he was thrown a prisoner into the Tower, and though soon released he remained powerless in the realm. His fall left England without a check to the rule of Henry himself.

CHAPTER III.

THE BARONS' WAR.

1232–1272.

218. ONCE master of his realm, Henry the Third was quick to declare his plan of government. The two great checks on a merely personal rule lay as yet in the authority of the great ministers of state and in the national character of the administrative body which had been built up by Henry the Second. Both of these checks Henry at once set himself to remove. He would be his own minister. The justiciar ceased to be the lieutenant-general of the king and dwindled

into a presiding judge of the law-courts. The chancellor had grown into a great officer of state, and in 1226 this office had been conferred on the Bishop of Chichester by the advice and consent of the Great Council. But Henry succeeded in wresting the seal from him, and naming to this as to other offices at his pleasure. His policy was to intrust all high posts of government to mere clerks of the royal chapel; trained administrators, but wholly dependent on the royal will. He found equally dependent agents of administration by surrounding himself with foreigners. The return of Peter des Roches to the royal councils was the first sign of the new system; and hosts of hungry Poitevins and Bretons were summoned over to occupy the royal castles and fill the judicial and administrative posts about the court. The king's marriage, in 1236, to Eleanor of Provence was followed by the arrival in England of the new queen's uncles. The "Savoy," as his house in the Strand was named, still recalls Peter of Savoy, who arrived five years later to take for a while the chief place at Henry's council-board; another brother, Boniface, was consecrated on Archbishop Edmund's death to the highest post in the realm, save the crown itself, the Archbishopric of Canterbury. The young primate, like his brother, brought with him foreign fashions strange enough to English folk. His armed retainers pillaged the markets. His own archiepiscopal fist felled to the ground the prior of St. Bartholomew-by-Smithfield, who opposed his visitation. London was roused by the outrage; on the king's refusal to do justice a noisy crowd of citizens

surrounded the primate's house at Lambeth with cries of vengeance, and the "handsome archbishop," as his followers styled him, was glad to escape over sea. This brood of Provençals was followed in 1243 by the arrival of the Poitevin relatives of John's queen, Isabella of Angoulême. Aymer was made Bishop of Winchester; William of Valence received at a later time the earldom of Pembroke. Even the king's jester was a Poitevin. Hundreds of their dependents followed these great nobles to find a fortune in the English realm. The Poitevin lords brought in their train a bevy of ladies in search of husbands, and three English earls who were in royal wardship were wedded by the king to foreigners. The whole machinery of administration passed into the hands of men who were ignorant and contemptuous of the principles of English government or English law. Their rule was a mere anarchy; the very retainers of the royal household turned robbers and pillaged foreign merchants in the precincts of the court; corruption invaded the judicature; at the close of this period of misrule Henry de Bath, a justiciary, was proved to have openly taken bribes and to have adjudged to himself disputed estates.

219. That misgovernment of this kind should have gone on unchecked in defiance of the provisions of the charter was owing to the disunion and sluggishness of the English baronage. On the first arrival of the foreigners, Richard, the Earl Mareschal, a son of the great regent, stood forth as their leader to demand the expulsion of the strangers from the royal council. Though deserted by the bulk of the nobles,

he defeated the foreign troops sent against him, and forced the king to treat for peace. But at this critical moment the earl was drawn by an intrigue of Peter des Roches to Ireland; he fell in a petty skirmish, and the barons were left without a head. The interposition of a new primate, Edmund of Abingdon, forced the king to dismiss Peter from court; but there was no real change of system, and the remonstrances of the archbishop and of Robert Grosseteste, the Bishop of Lincoln, remained fruitless. In the long interval of misrule the financial straits of the king forced him to heap exaction on exaction. The forest laws were used as a means of extortion, sees and abbeys were kept vacant, loans were wrested from lords and prelates, the court itself lived at free quarters wherever it moved. Supplies of this kind, however, were utterly insufficient to defray the cost of the king's prodigality. A sixth of the royal revenue was wasted in pensions to foreign favorites. The debts of the crown amounted to four times its annual income. Henry was forced to appeal for aid to the Great Council of the realm, and aid was granted in 1237 on promise of control in its expenditure, and on condition that the king confirmed the charter. But charter and promise were alike disregarded; and in 1242 the resentment of the barons expressed itself in a determined protest and a refusal of further subsidies. In spite of their refusal, however, Henry gathered money enough for a costly expedition for the recovery of Poitou. The attempt ended in failure and shame. At Taillebourg the king's force fled in disgraceful rout before the

French as far as Saintes, and only the sudden illness of Lewis the Ninth and a disease which scattered his army saved Bordeaux from the conquerors. The treasury was utterly drained, and Henry was driven in 1244 to make a fresh appeal with his own mouth to the baronage. But the barons had now rallied to a plan of action, and we can hardly fail to attribute their union to the man who appears at their head. This was the Earl of Leicester, Simon of Montfort.

220. Simon was the son of another Simon of Montfort, whose name had become memorable for his ruthless crusade against the Albigensian heretics in southern Gaul, and who had inherited the earldom of Leicester through his mother, a sister and coheiress of the last earl of the house of Beaumont. But as Simon's tendencies were for the most part French, John had kept the revenues of the earldom in his own hands, and on his death the claim of his elder son, Amaury, was met by the refusal of Henry the Third to accept a divided allegiance. The refusal marks the rapid growth of that sentiment of nationality which the loss of Normandy had brought home. Amaury chose to remain French, and by a family arrangement with the king's sanction the honor of Leicester passed in 1231 to his younger brother Simon. His choice made Simon an Englishman, but his foreign blood still moved the jealousy of the barons, and this jealousy was quickened by a secret match in 1238 with Eleanor, the king's sister and widow of the second William Marshal. The match formed probably part of a policy which Henry

pursued throughout his reign of bringing the great earldoms into closer connection with the crown. That of Chester had fallen to the king through the extinction of the family of its earls; Cornwall was held by his brother Richard; Salisbury by his cousin. Simon's marriage linked the earldom of Leicester to the royal house. But it at once brought Simon into conflict with the nobles and the church. The baronage, justly indignant that such a step should have been taken without their consent—for the queen still remained childless, and Eleanor's children by one whom they looked on as a stranger promised to be heirs of the crown—rose in a revolt which failed only through the desertion of their head, Earl Richard of Cornwall, who was satisfied with Earl Simon's withdrawal from the royal council. The censures of the church on Eleanor's breach of a vow of chaste widowhood which she had made at her first husband's death were averted with hardly less difficulty by a journey to Rome. It was after a year of trouble that Simon returned to England to reap, as it seemed, the fruits of his high alliance. He was now formally made Earl of Leicester and re-entered the royal council. But it is probable that he still found there the old jealousy which had forced from him a pledge of retirement after his marriage; and that his enemies now succeeded in winning over the king. In a few months, at any rate, he found the changeable king alienated from him, he was driven by a burst of royal passion from the realm, and was forced to spend seven months in France.

221. Henry's anger passed as quickly as it had

risen, and in the spring of 1240 the earl was again received with honor at court. It was from this moment, however, that his position changed. As yet it had been that of a foreigner, confounded in the eyes of the nation at large with the Poitevins and Provençals who swarmed about the court. But in the years of retirement which followed Simon's return to England his whole attitude was reversed. There was as yet no quarrel with the king; he followed him in a campaign across the channel, and shared in his defeat at Saintes. But he was a friend of Grosseteste and a patron of the friars, and became at last known as a steady opponent of the misrule about him. When prelates and barons chose twelve representatives to confer with Henry in 1244, Simon stood with Earl Richard of Cornwall at the head of them. A definite plan of reform disclosed his hand. The confirmation of the charter was to be followed by the election of justiciar, chancellor, treasurer in the Great Council. Nor was this restoration of a responsible ministry enough; a perpetual council was to attend the king and devise further reforms. The plan broke against Henry's resistance and a papal prohibition; but from this time the earl took his stand in the front rank of the patriot leaders The struggle of the following years was chiefly with the exactions of the papacy, and Simon was one of the first to sign the protest which the Parliament in 1246 addressed to the court of Rome. He was present at the Lent Parliament of 1248, and we can hardly doubt that he shared in its bold rebuke of the king's misrule and its renewed demand for the appointment

of the higher officers of state by the council. It was probably a sense of the danger of leaving at home such a center of all efforts after reform that brought Henry to send him, in the autumn of 1248, as Seneschal of Gascony to save for the crown the last of its provinces over sea.

222. Threatened by France and by Navarre without as well as by revolt within, the loss of Gascony seemed close at hand; but in a few months the stern rule of the new seneschal had quelled every open foe within or without its bounds. To bring the province to order proved a longer and a harder task. Its nobles were like the robber-nobles of the Rhine: "They rode the country by night," wrote the earl, "like thieves, in parties of twenty or thirty or forty," and gathered in leagues against the seneschal, who set himself to exact their dues to the crown and to shield merchant and husbandman from their violence. For four years Earl Simon steadily warred down these robber bands, storming castles where there was need, and bridling the wilder country with a chain of forts. Hard as the task was, his real difficulty lay at home. Henry sent neither money nor men; and the earl had to raise both from his own resources, while the men whom he was fighting found friends in Henry's council-chamber. Again and again Simon was recalled to answer charges of tyranny and extortion made by the Gascon nobles and pressed by his enemies at home on the king. Henry's feeble and impulsive temper left him open to pressure like this; and though each absence of the earl from the province was a signal for fresh outbreaks of disorder

which only his presence repressed, the deputies of its nobles were still admitted to the council-table and commissions sent over to report on the seneschal's administration. The strife came to a head in 1252, when the commissioners reported that, stern as Simon's rule had been, the case was one in which sternness was needful. The English barons supported Simon, and in the face of their verdict Henry was powerless. But the king was now wholly with his enemies; and his anger broke out in a violent altercation. The earl offered to resign his post if the money he had spent was repaid him, and appealed to Henry's word. Henry hotly retorted that he was bound by no promise to a false traitor. Simon at once gave Henry the lie; "and but that thou bearest the name of king it had been a bad hour for thee when thou utterest such a word!" A formal reconciliation was brought about, and the earl once more returned to Gascony, but before winter had come he was forced to withdraw to France. The greatness of his reputation was shown in an offer which its nobles made him of the regency of their realm during the absence of King Lewis from the land. But the offer was refused; and Henry, who had himself undertaken the pacification of Gascony, was glad before the close of 1253 to recall its old ruler to do the work he had failed to do.

223. The earl's character had now thoroughly developed. He inherited the strict and severe piety of his father; he was assiduous in his attendance on religious services, whether by night or day. In his correspondence with Adam Marsh, we see him find

ing patience under his Gascon troubles in a perusal of the Book of Job. His life was pure and singularly temperate; he was noted for his scant indulgence in meat, drink, or sleep. Socially he was cheerful and pleasant in talk; but his natural temper was quick and ardent, his sense of honor keen, his speech rapid and trenchant. His impatience of contradiction, his fiery temper, were in fact the great stumbling-blocks in his after career. His best friends marked honestly this fault, and it shows the greatness of the man that he listened to their remonstrances. "Better is a patient man," writes honest Friar Adam, "than a strong man, and he who can rule his own temper than he who storms a city." But the one characteristic which overmastered all was what men at that time called his "constancy," the firm immovable resolve which trampled even death under foot in its loyalty to the right. The motto which Edward the First chose as his device, "Keep troth," was far truer as the device of Earl Simon. We see in his correspondence with what a clear discernment of its difficulties, both at home and abroad, he "thought it unbecoming to decline the danger of so great an exploit" as the reduction of Gascony to peace and order; but once undertaken, he persevered in spite of the opposition he met with, the failure of all support or funds from England, and the king's desertion of his cause, till the work was done. There was the same steadiness of will and purpose in his patriotism. The letters of Robert Grosseteste show how early Simon had learned to sympathize with the bishop in his resistance to

Rome, and at the crisis of the contest he offered him his own support and that of his associates. But Robert passed away, and as the tide of misgovernment mounted higher and higher the earl silently trained himself for the day of trial. The fruit of his self-discipline was seen when the crisis came. While other men wavered and faltered and fell away, the enthusiastic love of the people clung to the grave, stern soldier who "stood like a pillar," unshaken by promise or threat or fear of death, by the oath he had sworn.

224. While Simon had been warring with Gascon rebels affairs in England had been going from bad to worse. The scourge of papal taxation fell heavier on the clergy. After vain appeals to Rome and to the king, Archbishop Edmund retired to an exile of despair at Pontigny, and tax-gatherer after tax-gatherer with powers of excommunication, suspension from orders, and presentation to benefices, descended on the unhappy priesthood. The wholesale pillage kindled a wide spirit of resistance. Oxford gave the signal by hunting a papal legate out of the city amid cries of "usurer" and "simoniac" from the mob of students. Fulk Fitz-Warenne, in the name of the barons, bade a papal collector begone out of England. "If you tarry here three days longer," he added, "you and your company shall be cut to pieces." For a time Henry himself was swept away by the tide of national indignation. Letters from the king, the nobles, and the prelates protested against the papal exactions, and orders were given that no money should be exported from the realm. But the threat

of interdict soon drove Henry back on a policy of spoliation in which he went hand in hand with Rome. The temper which this oppression begot among even the most sober churchmen has been preserved for us by an annalist whose pages glow with the new outburst of patriotic feeling. Matthew Paris is the greatest, as he in reality is the last of our monastic historians. The school of St. Alban's survived, indeed, till a far later time, but its writers dwindle into mere annalists whose view is bounded by the abbey precincts and whose work is as colorless as it is jejune. In Matthew the breadth and precision of the narrative, the copiousness of his information on topics whether national or European, the general fairness and justice of his comments, are only surpassed by the patriotic fire and enthusiasm of the whole. He had succeeded Roger of Wendover as chronicler at St. Alban's; and the Greater Chronicle with an abridgment at it which long passed under the name of Matthew of Westminster, a "History of the English," and the "Lives of the Earlier Abbots," are only a few among the voluminous works which attest his prodigious industry. He was an artist as well as an historian, and many of the manuscripts which are preserved are illustrated by his own hand. A large circle of correspondents—bishops like Grosseteste, ministers like Hubert de Burgh, officials like Alexander de Swereford—furnished him with minute accounts of political and ecclesiastical proceedings. Pilgrims from the East and papal agents brought news of foreign events to his scriptorium at St. Alban's He had access to

and quotes largely from state documents, charters, and exchequer rolls. The frequency of royal visits to the abbey brought him a store of political intelligence, and Henry himself contributed to the great chronicle which has preserved with so terrible a faithfulness the memory of his weakness and misgovernment. On one solemn feast-day the king recognized Matthew, and, bidding him sit on the middle step between the floor and the throne, begged him to write the story of the day's proceedings. While on a visit to St. Alban's he invited him to his table and chamber, and enumerated by name 250 of the English baronies for his information. But all this royal patronage has left little mark on his work. "The case," as Matthew says, "of historical writers is hard, for if they tell the truth they provoke men, and if they write what is false they offend God." With all the fullness of the school of court historians, such as Benedict and Hoveden, to which in form he belonged, Matthew Paris combines an independence and patriotism which is strange to their pages. He denounces with the same unsparing energy the oppression of the papacy and of the king. His point of aim is neither that of a courtier nor of a churchman, but of an Englishman, and the new national tone of his chronicle is but the echo of a national sentiment which at last bound nobles and yeomen and churchmen together into a people resolute to wrest freedom from the crown.

225. The nation was outraged like the church. Two solemn confirmations of the charter failed to bring about any compliance with its provisions. In 1248, in

1249, and again in 1255 the great council fruitlessly renewed its demand for a regular ministry, and the growing resolve of the nobles to enforce good government was seen in their offer of a grant on condition that the great officers of the crown were appointed in the council of the baronage. But Henry refused their offer with scorn and sold his plate to the citizens of London to find payment for his household. A spirit of mutinous defiance broke out on the failure of all legal remedy. When the Earl of Norfolk refused him aid Henry answered with a threat. "I will send reapers and reap your fields for you," he said. "And I will send you back the heads of your reapers," replied the earl. Hampered by the profusion of the court and the refusal of supplies, the crown was in fact penniless; and yet never was money more wanted, for a trouble which had long pressed upon the English kings had now grown to a height that called for decisive action. Even his troubles at home could not blind Henry to the need of dealing with the difficulty of Wales. Of the three Welsh states into which all that remained unconquered of Britain had been broken by the victories of Deorham and Chester, two had long ceased to exist. The country between the Clyde and the Dee had been gradually absorbed by the conquests of Northumbria and the growth of the Scot monarchy. West Wales, between the British Channel and the estuary of the Severn, had yielded to the sword of Ecgberht. But a fiercer resistance prolonged the independence of the great central portion which alone, in modern language, preserves the

name of Wales. Comprising in itself the largest and most powerful of the British kingdoms, it was aided in its struggle against Mercia by the weakness of its assailant, the youngest and feeblest of the English states, as well as by an internal warfare which distracted the energies of the invaders. But Mercia had no sooner risen to supremacy among the English kingdoms than it took the work of conquest vigorously in hand. Offa tore from Wales the border-land between the Severn and the Wye; the raids of his successors carried fire and sword into the heart of the country; and an acknowledgment of the Mercian overlordship was wrested from the Welsh princes. On the fall of Mercia this overlordship passed to the West-Saxon kings and the laws of Howel Dda own the payment of a yearly tribute by "the Prince of Aberffraw" to "the King of London." The weakness of England during her long struggle with the Danes revived the hopes of British independence; it was the co-operation of the Welsh on which the Northmen reckoned in their attack on the house of Ecgberht. But with the fall of the Danelagh the British princes were again brought to submission, and when in the midst of the Confessor's reign the Welsh seized on a quarrel between the houses of Leofric and Godwine to cross the border and carry their attacks into England itself, the victories of Harold reasserted the English supremacy. Disembarking on the coast his light-armed troops he penetrated to the heart of the mountains, and the successors of the Welsh prince Gruffydd, whose head was the trophy of the campaign, swore

to observe the old fealty and render the whole tribute to the English crown.

226. A far more desperate struggle began when the wave of Norman conquest broke on the Welsh frontier. A chain of great earldoms, settled by William along the border-land, at once bridled the old marauding forays. From his county palatine of Chester, Hugh the Wolf harried Flintshire into a desert; Robert of Belesme, in his earldom of Shrewsbury, "slew the Welsh," says a chronicler, "like sheep, conquered them, enslaved them, and flayed them with nails of iron." The earldom of Gloucester curbed Britain along the lower Severn. Backed by these greater baronies a horde of lesser adventurers obtained the royal "license to make conquest on the Welsh." Monmouth and Abergavenny were seized and guarded by Norman castellans; Bernard of Neufmarché won the lordship of Brecknock; Roger of Montgomery razed the town and fortress in Powysland which still preserves his name. A great rising of the whole people in the days of the second William won back some of this Norman spoil. The new castle of Montgomery was burned, Brecknock and Cardigan were cleared of the invaders, and the Welsh poured ravaging over the English border. Twice the red king carried his arms fruitlessly among the mountains against enemies who took refuge in their fastnesses till famine and hardship drove his broken host into retreat. The wiser policy of Henry the First fell back on his father's system of gradual conquest. A new tide of invasion flowed along the southern coast, where the land was level and open

and accessible from the sea. The attack was aided by strife in the country itself. Robert Fitz-Hamo, the lord of Gloucester, was summoned to his aid by a Welsh chieftain; and his defeat of Rhys ap Tewdor, the last prince under whom Southern Wales was united, produced an anarchy which enabled Robert to land safely on the coast of Glamorgan, to conquer the country round, and to divide it among his soldiers. A force of Flemings and Englishmen followed the Earl of Clare as he landed near Milford Haven, and, pushing back the British inhabitants, settled a "Little England" in the present Pembrokeshire. A few daring adventures accompanied the Norman lord of Kemeys into Cardigan, where land might be had for the winning by any one who would "wage war on the Welsh."

227. It was at this moment, when the utter subjugation of the British race seemed at hand, that a new outburst of energy rolled back the tide of invasion and changed the fitful resistance of the separate Welsh provinces into a national effort to regain independence. To all outer seeming Wales had become utterly barbarous. Stripped of every vestige of the older Roman civilization by ages of bitter warfare, of civil strife, of estrangement from the general culture of Christendom, the unconquered Britons had sunk into a mass of savage herdsmen, clad in the skins and fed by the milk of the cattle they tended. Faithless, greedy, and revengeful, retaining no higher political organization than that of the clan, their strength was broken by ruthless feuds, and they were united only in battle or in raid against the

stranger. But in the heart of the wild people there still lingered a spark of the poetic fire which had nerved it 400 years before through Aneurin and Llywarch Hen to its struggle with the earliest Englishmen. At the hour of its lowest degradation the silence of Wales was suddenly broken by a crowd of singers. The song of the twelfth century burst forth, not from one bard or another, but from the nation at large. The Welsh temper, indeed, was steeped in poetry. "In every house," says the shrewd Gerald du Barri, "strangers who arrived in the morning were entertained till eventide with the talk of maidens and the music of the harp." A romantic literature, which was destined to leaven the fancy of Western Europe, had grown up among this wild people and found an admirable means of utterance in its tongue. The Welsh language was as real a development of the old Celtic language heard by Cæsar as the Romance tongues are developments of Cæsar's Latin, but, at a far earlier date than any other language of modern Europe, it had attained to definite structure and to settled literary form. No other mediæval literature shows at its outset the same elaborate and completed organization as that of the Welsh. But within these settled forms the Celtic fancy played with a startling freedom. In one of the later poems Gwion the Little transforms himself into a hare, a fish, a bird, a grain of wheat; but he is only the symbol of the strange shapes in which the Celtic fancy embodies itself in the romantic tales which reached their highest perfection in the legends of Arthur.

228. The gay extravagance of these "Mabinogion" flings defiance to all fact, tradition, probability, and revels in the impossible and unreal. When Arthur sails into the unknown world it is in a ship of glass. The "descent into hell," as a Celtic poet paints it, shakes off the mediæval horror with the mediæval reverence, and the knight who achieves the quest spends his years of infernal durance in hunting and minstrelsy, and in converse with fair women. The world of the Mabinogion is a world of pure fantasy, a new earth of marvels and enchantments, of dark forests whose silence is broken by the hermit's bell, and sunny glades where the light plays on the hero's armor. Each figure, as it moves across the poet's canvas, is bright with glancing color. "The maiden was clothed in a robe of flame-colored silk, and about her neck was a collar of ruddy gold in which were precious emeralds and rubies. Her head was of brighter gold than the flower of the broom, her skin was whiter than the foam of the wave, and fairer were her hands and her fingers than the blossoms of the wood-anemone amid the spray of the meadow fountain. The eye of the trained hawk, the glance of the falcon, was not brighter than hers. Her bosom was more snowy than the breast of the white swan, her cheek was redder than the reddest roses." Everywhere there is an Oriental profusion of gorgeous imagery, but the gorgeousness is seldom oppressive. The sensibility of the Celtic temper, so quick to perceive beauty, so eager in its thirst for life, its emotions, its adventures, its sorrows, its joys, is tempered by a passionate melancholy that

expresses its revolt against the impossible, by an instinct of what is noble, by a sentiment that discovers the weird charm of nature. The wildest extravagance of the tale-teller is relieved by some graceful play of pure fancy, some tender note of feeling, some magical touch of beauty. As Kalweh's greyhounds bound from side to side of their master's steed, they "sport round him like two sea-swallows." His spear is "swifter than the fall of the dewdrop from the blade of reed-grass upon the earth when the dew of June is at the heaviest." A subtle, observant love of nature and natural beauty takes fresh color from the passionate human sentiment with which it is imbued. "I love the birds," sings Gwalchmai, "and their sweet voices in the lulling songs of the wood;" he watches at night beside the fords "among the untrodden grass," to hear the nightingale and watch the play of the sea-mew. Even patriotism takes the same picturesque form. The Welsh poet hates the flat and sluggish land of the Saxon; as he dwells on his own he tells of "its sea-coast and its mountains, its towns on the forest-border, its fair landscape, its dales, its waters, and its valleys, its white sea-mews, its beauteous women." Here as everywhere the sentiment of nature passes swiftly and subtly into the sentiment of a human tenderness: "I love its fields clothed with tender trefoil," goes on the song; "I love the marches of Merioneth, where my head was pillowed on a snow-white arm." In the Celtic love of woman there is little of the Teutonic depth and earnestness, but in its stead a child-like spirit of delicate enjoyment, a faint distant flush of passion like

the rose-light of dawn on a snowy mountain peak, a playful delight in beauty. "White is my love as the apple blossom, as the ocean's spray; her face shines like the pearly dew on Eryri; the glow of her cheeks is like the light of sunset." The buoyant and elastic temper of the French trouveur was spiritualized in the Welsh singers by a more refined poetic feeling. "Whoso beheld her was filled with her love. Four white trefoils sprang up wherever she trod." A touch of pure fancy such as this removes its object out of the sphere of passion into one of delight and reverence.

229. It is strange to pass from the world of actual Welsh history into such a world as this. But side by side with this wayward, fanciful stream of poesy and romance ran a torrent of intenser song. The spirit of the earlier bards, their joy in battle, their love of freedom, broke out anew in ode after ode, in songs extravagant, monotonous, often prosaic, but fused into poetry by the intense fire of patriotism which glowed within them. Every fight, every hero, had its verse. The names of older singers, of Taliesin, Aneurin, and Llywarch Hen, were revived in bold forgeries to animate the national resistance and to prophesy victory. It was in North Wales that the spirit of patriotism received its strongest inspiration from this burst of song. Again and again Henry the Second was driven to retreat from the impregnable fastnesses where the "Lords of Snowdon," the princes of the house of Gruffydd ap Conan, claimed supremacy over the whole of Wales. Once in the pass Consilt a cry arose that the king was

slain, Henry of Essex flung down the royal standard, and the king's desperate efforts could hardly save his army from utter rout. The bitter satire of the Welsh singers bade him knight his horse, since its speed had alone saved him from capture. In a later campaign the invaders were met by storms of rain, and forced to abandon their baggage in a headlong flight to Chester. The greatest of the Welsh odes, that known to English readers in Gray's translation as "The Triumph of Owen," is Gwalchmai's song of victory over the repulse of an English fleet from Abermenai.

230. The long reign of Llewellyn, the son of Jorwerth, seemed destined to realize the hopes of his countrymen. The homage which he succeded in extorting from the whole of the Welsh chieftains during a reign which lasted from 1194 to 1240 placed him openly at the head of his race, and gave a new character to its struggle with the English king. In consolidating his authority within his own domains, and in the assertion of his lordship over the princes of the south, Llewellyn ap Jorwerth aimed steadily at securing the means of striking off the yoke of the Saxon. It was in vain that John strove to buy his friendship by the hand of his natural daughter Johanna. Fresh raids on the Marches forced the king to enter Wales in 1211; but, though his army reached Snowdon, it fell back like its predecessors, starved and broken, before an enemy it could never reach. A second attack in the same year had better success. The chieftains of South Wales were drawn from their new allegiance to join the English forces, and Llewellyn, prisoned in his fastnesses, was at last

driven to submit. But the ink of the treaty was hardly dry before Wales was again on fire; a common fear of the English once more united its chieftains, and the war between John and his barons soon removed all dread of a new invasion. Absolved from his allegiance to an excommunicated king, and allied with the barons under Fitz-Walter—too glad to enlist in their cause a prince who could hold in check the nobles of the border country where the royalist cause was strongest—Llewellyn seized his opportunity to reduce Shrewsbury, to annex Powys, the central district of Wales, where the English influence had always been powerful, to clear the royal garrisons from Caermarthen and Cardigan, and to force even the Flemings of Pembroke to do him homage.

231. England watched these efforts of the subject race with an anger still mingled with contempt. "Who knows not," exclaims Matthew Paris as he dwells on the new pretensions of the Welsh ruler—"who knows not that the Prince of Wales is a petty vassal of the King of England?" But the temper of Llewellyn's own people was far other than the temper of the English chronicler. The hopes of Wales rose higher and higher with each triumph of the lord of Snowdon. His court was crowded with bardic singers. "He pours," sings one of them, "his gold into the lap of the bard as the ripe fruit falls from the trees." Gold, however, was hardly needed to wake their enthusiasm. Poet after poet sang of "the Devastator of England," the "Eagle of men that loves not to lie nor sleep," "towering above the

rest of men with his long red lance," his "red helmet of battle crested with a fierce wolf." "The sound of his coming is like the roar of the wave as it rushes to the shore, that can neither be stayed nor hushed." Lesser bards strung together Llewellyn's victories in rough jingle of rhyme, and hounded him on to the slaughter. "Be of good courage in the slaughter," sings Elidir; "cling to thy work, destroy England, and plunder its multitudes." A fierce thirst for blood runs through the abrupt, passionate verses of the court singers. "Swansea, that tranquil town was broken in heaps," burst out a triumphant bard; "St. Clears, with its bright white lands, it is not Saxons who hold it now!" "In Swansea, the key of Lloegria, we made widows of all the wives." "The dread Eagle is wont to lay corpses in rows, and to feast with the leader of wolves, and with hovering ravens glutted with flesh, butchers with keen scent of carcases." "Better," closes the song,—"better the grave than the life of a man who sighs when the horns call him forth to the squares of battle."

232. But even in bardic verse Llewellyn rises high out of the mere mob of chieftains who live by rapine, and boast, as the Hirlas-horn passes from hand to hand through the hall, that "they take and give no quarter." "Tender hearted, wise, witty, ingenious," he was "the great Cæsar" who was to gather beneath his sway the broken fragments of the Celtic race. Mysterious prophecies, the prophecies of Merlin the Wise, which floated from lip to lip, and were heard even along the Seine and the Rhine, came home

again to nerve Wales to its last struggle with the stranger. Medrawd and Arthur, men whispered, would appear once more on earth to fight over again the fatal battle of Camlan, in which the hero-king perished. The last conqueror of the Celtic race, Cadwallon, still lived to combat for his people. The supposed verses of Taliesin expressed the undying hope of a restoration of the Cymry. "In their hands shall be all the land from Brittany to Man . . . a rumor shall arise that the Germans are moving out of Britain back again to their fatherland." Gathered up in the strange work of Geoffry of Monmouth, these predictions had long being making a deep impression, not on Wales only, but on its conquerors. It was to meet the dreams of a yet living Arthur that the grave of the legendary hero-king at Glastonbury was found and visited by Henry the Second. But neither trick nor conquest could shake the firm faith of the Celt in the ultimate victory of his race. "Think you," said Henry to a Welsh chieftain who joined his host, "that your people of rebels can withstand my army?" "My people," replied the chieftain, "may be weakened by your might, and even in great part destroyed, but unless the wrath of God be on the side of its foe it will not perish utterly. Nor deem I that other race or other tongue will answer for this corner of the world before the Judge of all at the last day save this people and tongue of Wales." So ran the popular rhyme: "Their Lord they will praise, their speech they shall keep, their land they shall lose—except wild Wales."

238. Faith and prophecy seemed justified by the growing strength of the British people. The weakness and dissensions which characterized the reign of Henry the Third enabled Llewellyn ap Jorwerth to preserve a practical independence till the close of his life, when a fresh acknowledgment of the English supremacy was wrested from him by Archbishop Edmund. But the triumphs of his arms were renewed by Llewellyn, the son of Gryffydd, who followed him in 1246. The raids of the new chieftain swept the border to the very gates of Chester, while his conquest of Glamorgan seemed to bind the whole people together in a power strong enough to meet any attack from the stranger. So pressing was the danger that it called the king's eldest son, Edward, to the field; but his first appearance in arms ended in a crushing defeat. The defeat, however, remained unavenged. Henry's dreams were of mightier enterprises than the reduction of the Welsh. The popes were still fighting their weary battle against the house of Hohenstaufen, and were offering its kingdom of Sicily, which they regarded as a forfeited fief of the Holy See, to any power that would aid them in the struggle. In 1254 it was offered to the king's second son, Edmund. With imbecile pride Henry accepted the offer, prepared to send an army across the Alps, and pledged England to repay the sums which the pope was borrowing for the purposes of his war. In a parliament at the opening of 1257 he demanded an aid, and a tenth from the clergy. A fresh demand was made in 1258. But the patience of the realm was at last exhausted. Earl Simon had

returned in 1253 from his government of Gascony, and the fruit of his meditations during the four years of his quiet stay at home, a quiet broken only by short embassies to France, and Scotland, which showed there was as yet no open quarrel with Henry, was seen in a league of the baronage, and in their adoption of a new and startling policy. The past half century had shown both the strength and weakness of the charter; its strength as a rallying-point for the baronage, and a definite assertion of rights which the king could be made to acknowledge; its weakness in providing no means for the enforcement of its own stipulations. Henry had sworn again and again to observe the charter, and his oath was no sooner taken than it was unscrupulously broken. The barons had secured the freedom of the realm; the secret of their long patience during the reign of Henry lay in the difficulty of securing its right administration. It was this difficulty which Earl Simon was prepared to solve when action was forced on him by the stir of the realm. A great famine added to the sense of danger from Wales and from Scotland, and to the irritation at the new demands from both Henry and Rome with which the year 1258 opened. It was to arrange for a campaign against Wales that Henry called a parliament in April. But the baronage appeared in arms with Gloucester and Leicester at their head. The king was forced to consent to the appointment of a committee of twenty-four to draw up terms for the reform of the state. The twenty-four again met the Parliament at Oxford in June, and, although half

the committee consisted of royal ministers and favorites, it was impossible to resist the tide of popular feeling. Hugh Bigod, one of the firmest adherents of the two earls, was chosen justiciar. The claim to elect this great officer was, in fact, the leading point in the baronial policy. But further measures were needed to hold in check such arbitrary misgovernment as had prevailed during the past twenty years. By the "Provisions of Oxford" it was agreed that the Great Council should assemble thrice in the year, whether summoned by the king or no; and on each occasion "the commonalty shall elect twelve honest men who shall come to the parliaments, and at other times when occasion shall be, when the king and his council shall send for them, to treat of the wants of the king and of his kingdom. And the commonalty shall hold as established that which these twelve shall do." Three permanent committees of barons and prelates were named to carry out the work of reform and administration. The reform of the church was left to the original twenty-four; a second twenty-four negotiated the financial aids; a permanent council of fifteen advised the king in the ordinary work of government. The complexity of such an arrangement was relieved by the fact that the members of each of these committees were in great part the same persons. The justiciar, chancellor, and the guardians of the king's castles swore to act only with the advice and assent of the permanent council, and the first two great officers, with the treasurer, were to give account of their proceedings to it at the end of the year. Sheriffs were to be ap-

pointed for a single year only, no doubt by the council, from among the chief tenants of the county, and no undue fees were to be exacted for the administration of justice in their court.

234. A royal proclamation in the English tongue, the first in that tongue since the conquest which has reached us, ordered the observance of these provisions. The king was, in fact, helpless, and resistance came only from the foreign favorites, who refused to surrender the castles and honors which had been granted to them. But the twenty-four were resolute in their action; and an armed demonstration of the barons drove the foreigners in flight over sea. The whole royal power was now, in fact, in the hands of the committees appointed by the Great Council. But the measures of the barons showed little of the wisdom and energy which the country had hoped for. In October, 1259, the knighthood complained that the barons had done nothing but seek their own advantage in the recent changes. This protest produced the Provisions of Westminster, which gave protection to tenants against their feudal lords, regulated legal procedure in the feudal courts, appointed four knights in each shire to watch the justice of the sheriffs, and made other temporary enactments for the furtherance of justice. But these provisions brought little fruit, and a tendency to mere feudal privilege showed itself in an exemption of all nobles and prelates from attendance at the sheriff's courts. Their foreign policy was more vigorous and successful. All further payment to Rome, whether secular or ecclesiastical, was prohibited;

formal notice was given to the pope of England's withdrawal from the Sicilian enterprise, peace put an end to the incursions of the Welsh, and negotiations on the footing of a formal abandonment of the king's claim to Normandy, Anjou, Maine, Touraine, and Poitou ended in October, 1259, in a peace with France.

235. This peace, the triumph of that English policy which had been struggling ever since the days of Hubert de Burgh with the continental policy of Henry and his foreign advisers, was the work of the Earl of Leicester. The revolution had doubtless been mainly Simon's doing. In the summer of 1258, while the great change was going on, a thunder storm drove the king as he passed along the river to the house of the Bishop of Durham, where the earl was then sojourning. Simon bade Henry take shelter with him and have no fear of the storm. The king refused with petulant wit. "If I fear the thunder, I fear you, Sir Earl, more than all the thunder in the world." But Simon had probably small faith in the cumbrous system of government which the barons devised, and it was with reluctance that he was brought to swear to the provisions of Oxford which embodied it. With their home government he had little to do, for from the autumn of 1258 to that of 1259 he was chiefly busied in negotiation in France. But already his breach with Gloucester and the bulk of his fellow-councilors was marked. In the Lent Parliament of 1259 he had reproached them, and Gloucester above all, with faithlessness to their trust. "The things we are treating of," he

cried, "we have sworn to carry out. With such feeble and faithless men I care not to have aught to do!" The peace with France was hardly signed when his distrust of his colleagues was verified. Henry's withdrawal to the French court at the close of the year for the formal signature of the treaty was the signal for a reactionary movement. From France the king forbade the summoning of a Lent Parliament in 1260, and announced his resumption of the enterprise against Sicily. Both acts were distinct breaches of the provisions of Oxford, but Henry trusted to the divisions of the twenty-four. Gloucester was in open feud with Leicester; the justiciar, Hugh Bigod, resigned his office in the spring; and both of these leaders drew cautiously to the king. Roger Mortimer and the Earls of Hereford and Norfolk more openly espoused the royal cause, and in February, 1260, Henry had gained confidence enough to announce that as the barons had failed to keep their part of the provisions he should not keep his.

286. Earl Simon almost alone remained unshaken. But his growing influence was seen in the appointment of his supporter, Hugh Despenser, as justiciar in Bigod's place, while his strength was doubled by the accession of the king's son Edward to his side. In the moment of the revolution Edward had vehemently supported the party of the foreigners. But he had sworn to observe the provisions, and the fidelity to his pledge which remained throughout his life the chief note of his temper at once showed itself. Like Simon he protested against the faith-

lessness of the barons in the carrying out of their reforms, and it was his strenuous support of the petition of the knighthood that brought about the additional provisions of 1259. He had been brought up with Earl Simon's sons, and with the earl himself his relations remained friendly even at the later time of their fatal hostilities. But as yet he seems to have had no distrust of Simon's purposes or policy. His adhesion to the earl recalled Henry from France; and the king was at once joined by Gloucester in London, while Edward and Simon remained without the walls. But the love of father and son proved too strong to bear political severance, and Edward's reconciliation foiled the earl's plans. He withdrew to the Welsh border, where fresh troubles were breaking out, while Henry prepared to deal his final blow at the government which, tottering as it was, still held him in check. Rome had resented the measures which had put an end to her extortions, and it was to Rome that Henry looked for a former absolution from his oath to observe the provisions. In June, 1261, he produced a bull annulling the provisions and freeing him from his oath in a Parliament at Winchester. The suddenness of the blow forbade open protest and Henry quickly followed up his victory. Hugh Bigod, who had surrendered the Tower and Dover in the spring, surrendered the other castles he held in the autumn. Hugh Despenser was deposed from the justiciarship and a royalist, Philip Basset, appointed in his place.

287. The news of this counter-revolution reunited for a moment the barons. Gloucester joined Earl

Simon in calling an autumn Parliament at St. Alban's, and in summoning to it three knights from every shire south of Trent. But the union was a brief one. Gloucester consented to refer the quarrel with the king to arbitration and the Earl of Leicester withdrew in August to France. He saw that for the while there was no means of withstanding Henry, even in his open defiance of the provisions. Foreign soldiers were brought into the land; the king won back again the appointment of sheriffs. For eighteen months of this new rule Simon could do nothing but wait. But his long absence lulled the old jealousies against him. The confusion of the realm and a fresh outbreak of troubles in Wales renewed the disgust at Henry's government, while his unswerving faithfulness to the provisions fixed the eyes of all Englishmen upon the earl as their natural leader. The death of Gloucester in the summer of 1262 removed the one barrier to action; and in the spring of 1263 Simon landed again in England as the unquestioned head of the baronial party. What immediately forced him to action was a march of Edward with a body of foreign troops against Llewelyn, who was probably by this time in communication, if not in actual alliance, with the earl. The chief opponents of Llewelyn among the Marcher lords were ardent supporters of Henry's misgovernment, and, when a common hostility drew the prince and earl together, the constitutional position of Llewelyn as an English noble gave formal justification for cooperation with him. At Whitsuntide the barons met Simon at Oxford and finally summoned Henry

to observe the provisions. His refusal was met by an appeal to arms. Throughout the country the younger nobles flocked to Simon's standard, and the young Earl of Gloucester, Gilbert of Clare, became his warmest supporter. His rapid movements foiled all opposition. While Henry vainly strove to raise money and men, Simon swept the Welsh border, marched through Reading on Dover, and finally appeared before London.

238. The earl's triumph was complete. Edward, after a brief attempt at resistance, was forced to surrender Windsor and disband his foreign troops. The rising of London in the cause of the barons left Henry helpless. But at the moment of triumph the earl saw himself anew forsaken. The bulk of the nobles again drew toward the king; only six of the twelve barons who had formed the patriot half of the committee of 1258, only four of the twelve representatives of the community at that date, were now with the earl. The dread, too, of civil war gave strength to the cry for a compromise, and at the end of the year it was agreed that the strife should be left to the arbitration of the French King, Lewis the Ninth. But saint and just ruler as he was, the royal power was in the conception of Lewis a divine thing, which no human power could limit or fetter, and his decision, which was given in January, 1264, annulled the whole of the provisions. Only the charters granted before the provisions were to be observed. The appointment and removal of all officers of state was to be wholly with the king, and he was suffered to call aliens to his councils if he would.

The Mise of Amiens was at once confirmed by the pope, and, crushing blow as it was, the barons felt themselves bound by the award. It was only the exclusion of aliens—a point which they had not purposed to submit to arbitration—which they refused to concede. Luckily Henry was as inflexible on this point as on the rest, and the mutual distrust prevented any real accommodation.

239. But Henry had to reckon on more than the baronage. Deserted as he was by the greater nobles, Simon was far from standing alone. Throughout the recent struggle the new city governments of the craft-guilds, which were known by the name of "communes," had shown an enthusiastic devotion to his cause. The queen was stopped in her attempt to escape from the Tower by an angry mob, who drove her back with stones and foul words. When Henry attempted to surprise Leicester in his quarters at Southwark, the Londoners burst the gates which had been locked by the richer burghers against him, and rescued him by a welcome into the city. The clergy and the universities went in sympathy with the towns, and in spite of the taunts of the royalists, who accused him of seeking allies against the nobility in the common people, the popular enthusiasm gave a strength to the earl which sustained him even in this darkest hour of the struggle. He at once resolved on resistance. The French award had luckily reserved the rights of Englishmen to the liberties they had enjoyed before the Provisions of Oxford, and it was easy for Simon to prove that the arbitrary power it gave to the crown was as contrary to the

charter as to the provisions themselves. London was the first to reject the decision; in March, 1264, its citizens mustered at the call of the town-bell at St. Paul's, seized the royal officials, and plundered the royal parks. But an army had already mustered in great force at the king's summons, while Leicester found himself deserted by the bulk of the baronage. Every day brought news of ill. A detachment from Scotland joined Henry's forces. The younger De Montfort was taken prisoner. Northampton was captured, the king raised the siege of Rochester, and a rapid march of Earl Simon only saved London itself from a surprise by Edward. But betrayed as he was, the earl remained firm to the cause. He would fight to the end, he said, even were he and his sons left to fight alone. With an army reinforced by 15,000 Londoners, he marched in May to the relief of the Cinque Ports, which were now threatened by the king. Even on the march he was forsaken by many of the nobles who followed him. Halting at Fletching, in Sussex, a few miles from Lewes, where the royal army was encamped, Earl Simon, with the young Earl of Gloucester, offered the king compensation for all damage if he would observe the provisions. Henry's answer was one of defiance, and though numbers were against him, the earl resolved on battle. His skill as a soldier reversed the advantages of the ground; marching at dawn on May 14th, he seized the heights eastward of the town and moved down these slopes to an attack. His men, with white crosses on back and breast, knelt in prayer before the battle opened, and all but reached the

town before their approach was perceived. Edward, however, opened the fight by a furious charge which broke the Londoners on Leicester's left. In the bitterness of his hatred for the insult to his mother he pursued them for four miles, slaughtering 3,000 men. But he returned to find the battle lost. Crowded in the narrow space between the heights and the river Ouse, a space broken by marshes and by the long street of the town, the royalist center and left were crushed by Earl Simon. The Earl of Cornwall, now king of the Romans, who, as the mocking song of the victors ran, "makede him a castel of a mulne post" ("he weened that the mill-sails were mangonels," goes on the sarcastic verse), was taken prisoner, and Henry himself captured. Edward cut his way into the Priory only to join in his father's surrender.

240. The victory of Lewes placed Earl Simon at the head of the state. "Now England breathes in the hope of liberty," sang a poet of the time; "the English were despised like dogs, but now they have lifted up their head and their foes are vanquished." But the moderation of the terms agreed upon in the Mise of Lewes, a convention between the king and his captors, shows Simon's sense of the difficulties of his position. The question of the provisions was again to be submitted to arbitration; and a parliament in June, to which four knights were summoned from every county, placed the administration till this arbitration was complete in the hands of a new council of nine, to be nominated by the Earls of Leicester and Gloucester and the patriotic Bishop of

Chichester. Responsibility to the community was provided for by the declaration of a right in the body of barons and prelates to remove either of the three electors, who in turn could displace or appoint the members of the council. Such a constitution was of a different order from the cumbrous and oligarchical committees of 1258. But it had little time to work in. The plans for a fresh arbitration broke down. Lewis refused to review his decision, and all schemes for setting fresh judges between the king and his people were defeated by a formal condemnation of the barons' cause issued by the pope. Triumphant as he was, indeed, Earl Simon's difficulties thickened every day. The queen, with Archbishop Boniface, gathered an army in France for an invasion; Roger Mortimer, with the border barons, was still in arms, and only held in check by Llewellyn. It was impossible to make binding terms with an imprisoned king, yet to release Henry without terms was to renew the war. The imprisonment too gave a shock to public feeling which thinned the earl's ranks. In the new parliament which he called at the opening of 1265 the weakness of the patriotic party among the baronage was shown in the fact that only twenty-three earls and barons could be found to sit beside the hundred and twenty ecclesiastics.

241. But it was just this sense of his weakness which prompted the earl to an act that has done more than any incident of this struggle to immortalize his name. Had the strife been simply a strife for power between the king and the baronage, the victory of either would have been equally fatal in its results.

The success of the one would have doomed England to a royal despotism, that of the other to a feudal aristocracy. Fortunately for our freedom, the English baronage had been brought too low by the policy of the kings to be able to withstand the crown single-handed. From the first moment of the contest it had been forced to make its cause a national one. The summons of two knights from each county, elected in its county court, to a parliament in 1254, even before the opening of the struggle, was a recognition of the political weight of the country gentry, which was confirmed by the summons of four knights from every county to the parliament assembled after the battle of Lewes. The Provisions of Oxford, in stipulating for attendance and counsel on the part of twelve delegates of the "commonalty," gave the first indication of a yet wider appeal to the people at large. But it was the weakness of his party among the baronage at this great crisis which drove Earl Simon to a constitutional change of mighty issue in our history. As before, he summoned two knights from every county. But he created a new force in English politics when he summoned to sit beside them two citizens from every borough. The attendance of delegates from the towns had long been usual in the county courts when any matter respecting their interests was in question; but it was the writ issued by Earl Simon that first summoned the merchant and the trader to sit beside the knight of the shire, the baron, and the bishop in the parliament of the realm.

243. It is only this great event, however which

enables us to understand the large and prescient nature of Earl Simon's designs. Hardly a few months had passed away since the victory of Lewes when the burghers took their seats at Westminster, yet his government was tottering to its fall. We know little of the parliament's acts. It seems to have chosen Simon as justiciar, and to have provided for Edward's liberation, though he was still to live under surveillance at Hereford, and to surrender his earldom of Chester to Simon, who was thus able to communicate with his Welsh allies. The earl met the dangers from without with complete success. In September, 1264, a general muster of the national forces on Barham Down and a contrary wind put an end to the projects of invasion entertained by the mercenaries whom the queen had collected in Flanders; the threats of France died away into negotiations; the papal legate was forbidden to cross the channel, and his bulls of excommunication were flung into the sea. But the difficulties at home grew more formidable every day. The restraint upon Henry and Edward jarred against the national feeling of loyalty, and estranged the mass of Englishmen who always side with the weak. Small as the patriotic party among the barons had been from the first, it grew smaller as dissensions broke out over the spoils of victory. The earl's justice and the resolve to secure the public peace told heavily against him. John Giffard left him because he refused to allow him to exact ransom from a prisoner, contrary to the agreement made after Lewes. A greater danger opened when the young Earl of Gloucester,

though enriched with the estates of the foreigners, held himself aloof from the justiciar, and resented Leicester's prohibition of a tournament, his naming the wardens of the royal castles by his own authority, his holding Edward's fortresses on the Welsh marches by his own garrisons.

243. Gloucester's later conduct proves the wisdom of Leicester's precautions. In the spring parliament of 1265 he openly charged the earl with violating the Mise of Lewes, with tyranny, and with aiming at the crown. Before its close he withdrew to his own lands in the west and secretly allied himself with Roger Mortimer and the Marcher barons. Earl Simon soon followed him to the west, taking with him the king and Edward. He moved along the Severn, securing its towns, advanced west to Hereford, and was marching at the end of June along bad roads into the heart of South Wales to attack the fortresses of Earl Gilbert in Glamorgan, when Edward suddenly made his escape from Hereford and joined Gloucester at Ludlow. The moment had been skillfully chosen, and Edward showed a rare ability in the movements by which he took advantage of the earl's position. Moving rapidly along the Severn he seized Gloucester and the bridges across the river. destroyed the ships by which Leicester strove to escape across the Channel to Bristol, and cut him off altogether from England. By this movement, too, he placed himself between the earl and his son Simon, who was advancing from the east to his father's relief. Turning rapidly on this second force, Edward surprised it at Kenilworth and drove it with heavy

loss within the walls of the castle. But the success was more than the compensated by the opportunity which his absence gave to the earl of breaking the line of the Severn. Taken by surprise, and isolated as he was, Simon had been forced to seek for aid and troops in an avowed alliance with Llewellyn, and it was with Welsh reinforcements that he turned to the east. But the seizure of his ships and of the bridges of the Severn held him a prisoner in Edward's grasp, and a fierce attack drove him back, with broken and starving forces, into the Welsh hills. In utter despair he struck northward to Hereford; but the absence of Edward now enabled him on the 2d of August to throw his troops in boats across the Severn below Worcester. The news drew Edward quickly back in a fruitless counter-march to the river, for the earl had already reached Evesham by a long night march on the morning of the 4th, while his son, relieved in turn by Edward's counter-march, had pushed in the same night to the little town of Alcester. The two armies were now but some ten miles apart, and their junction seemed secured. But both were spent with long marching, and while the earl listening reluctantly to the request of the king, who accompanied him, halted at Evesham for mass and dinner, the army of the younger Simon halted for the same purpose at Alcester.

244. "Those two dinners doleful were, alas!" sings Robert of Gloucester; for through the same memorable night Edward was hurrying back from the Severn by country cross-lanes to seize the fatal gap that lay between them. As morning broke his

army lay across the road that led northward from Evesham to Alcester. Evesham lies in a loop of the river Avon, where it bends to the south; and a height on which Edward ranged his troops closed the one outlet from it save across the river. But a force had been thrown over the river under Mortimer to seize the bridges, and all retreat was thus finally cut off. The approach of Edward's army called Simon to the front, and for the moment he took it for his son's. Though the hope soon died away, a touch of soldierly pride moved him as he recognized in the orderly advance of his enemies a proof of his own training. "By the arm of St. James," he cried, "they come on in wise fashion, but it was from me that they learnt it." A glance, however, satisfied him of the hopelessness of a struggle; it was impossible for a handful of horsemen with a mob of half-armed Welshmen to resist the disciplined knighthood of the royal army. "Let us commend our souls to God," Simon said to the little group around him, "for our bodies are the foe's." He bade Hugh Despenser and the rest of his comrades fly from the field. "If he died," was the noble answer, "they had no will to live." In three hours the butchery was over. The Welsh fled at the first onset like sheep, and were cut ruthlessly down in the corn-fields and gardens where they sought refuge. The little group of knights around Simon fought desperately, falling one by one till the earl was left alone. So terrible were his sword-strokes that he had all but gained the hill-top when a lance-thrust brought his horse to the ground, but Simon still rejected the summons to

yield till a blow from behind felled him, mortally wounded, to the ground. Then, with a last cry of "It is God's grace," the soul of the great patriot passed away.

245. The triumphant blare of trumpets which welcomed the rescued king into Evesham, "his men weeping for joy," rang out in bitter contrast to the mourning of the realm. It sounded like the announcement of a reign of terror. The rights and laws for which men had toiled and fought so long seemed to have been swept away in an hour. Every town which had supported Earl Simon was held to be at the king's mercy, its franchises to be forfeited. The charter of Lynn was annulled; London was marked out as the special object of Henry's vengeance, and the farms and merchandise of its citizens were seized as first fruits of its plunder. The darkness which on that fatal morning hid their books from the monks of Evesham as they sang in choir was but a presage of the gloom which fell on the religious houses. From Ramsey, from Evesham, from St. Alban's rose the same cry of havoc and rapine. But the plunder of monk and burgess was little to the vast sentence of confiscation which the mere fact of rebellion was held to have passed on all the adherents of Earl Simon. To "disinherit" these of their lands was to confiscate half of the estates of the landed gentry of England; but the hotter royalists declared them disinherited, and Henry was quick to lavish their lands away on favorites and foreigners. The very chroniclers of their party recall the pillage with shame. But all thought of resistance lay

hushed in a general terror. Even the younger Simon "saw no other rede" than to release his prisoners. His army, after finishing its meal, was again on the march to join the earl, when the news of his defeat met it, heralded by a strange darkness that, rising suddenly in the north-west and following as it were on Edward's track, served to shroud the mutilations and horrors of the battle-field. The news was soon fatally confirmed. Simon himself could see from afar his father's head borne off on a spear-point, to be mocked at Wigmore. But the pursuit streamed away southward and westward, through the streets of Tewkesbury, heaped with corpses of the panic-struck Welshmen whom the townsmen slaughtered without pity; and there was no attack as the little force fell back through the darkness and big thunder-drops in despair upon Kenilworth. "I may hang up my axe," are the bitter words which a poet attributes to their leader, "for feebly have I gone;" and once within the castle he gave way to a wild sorrow, day after day tasting neither meat nor drink.

246. He was roused into action again by news of the shameful indignities which the Marcher-lords had offered to the body of the great earl before whom they had trembled so long. The knights around him broke out at the tidings in a passionate burst of fury, and clamored for the blood of Richard of Cornwall and his son, who were prisoners in the castle. But Simon had enough nobleness left to interpose. "To God and him alone was it owing," Richard owned afterwards, "that I was snatched from death." The captives were not only saved, but set free. A parliament

had been called at Winchester at the opening of September, and its mere assembly promised an end to the reign of utter lawlessness. A powerful party, too, was known to exist in the royal camp, which, hostile as it had shown itself to Earl Simon, shared his love for English liberties, and the liberation of Richard was sure to aid its efforts. At the head of this party stood the young Earl of Gloucester, Gilbert of Clare, to whose action above all the earl's overthrow was due. And with Gilbert stood Edward himself. The passion for law, the instinct of good government, which were to make his reign so memorable in our history, had declared themselves from the first. He had sided with the barons at the outset of their struggle with Henry; he had striven to keep his father true to the provisions of Oxford. It was only when the figure of Earl Simon seemed to tower above that of Henry himself, when the crown seemed falling into bondage, that Edward passed to the royal side; and now that the danger which he dreaded was over, he returned to his older attitude. In the first flush of victory, while the doom of Simon was as yet unknown, Edward had stood alone in desiring his captivity against the cry of the Marcher-lords for his blood. When all was done he wept over the corpse of his cousin and playfellow, Henry de Montfort, and followed the earl's body to the tomb. But great as was Edward's position after the victory of Evesham, his moderate counsels were as yet of little avail. His efforts in fact were met by those of Henry's second son, Edmund, who had received the lands and earldom of Earl Simon, and

whom the dread of any restoration of the house of De Montfort set at the head of the ultra-royalists. Nor was any hope of moderation to be found in the parliament which met in September, 1265. It met in the usual temper of a restoration-parliament to legalize the outrages of the previous month. The prisoners who had been released from the dungeons of the barons poured into Winchester to add fresh violence to the demands of the Marchers. The wives of the captive loyalists and the widows of the slain were summoned to give fresh impulse to the reaction. Their place of meeting added fuel to the fiery passions of the throng, for Winchester was fresh from its pillage by the younger Simon on his way to Kenilworth, and its stubborn loyalty must have been fanned into a flame by the losses it had endured. In such an assembly no voice of moderation could find a hearing. The four bishops who favored the national cause, the bishops of London and Lincoln, of Worcester and Chichester, were excluded from it, and the heads of the religious houses were summoned for the mere purpose of extortion. Its measures were but a confirmation of the violence which had been wrought. All grants made during the king's "captivity" were revoked. The house of De Montfort was banished from the realm. The charter of London was annulled. The adherents of Earl Simon were disinherited, and seizin of their lands was given to the king.

247. Henry at once appointed commissioners to survey and take possession of his spoil, while he moved to Windsor to triumph in the humiliation of Lon-

don. Its mayor and forty of its chief citizens waited in the castle yard only to be thrown into prison in spite of a safe-conduct, and Henry entered his capital in triumph as into an enemy's city. The surrender of Dover came to fill his cup of joy, for Richard and Amaury of Montfort had sailed with the earl's treasure to enlist foreign mercenaries, and it was by this port that their force was destined to land. But a rising of the prisoners detained there compelled its surrender in October, and the success of the royalists seemed complete. In reality their difficulties were but beginning. Their triumph over Earl Simon had been a triumph over the religious sentiment of the time, and religion avenged itself in its own way. Everywhere the earl's death was looked upon as a martyrdom; and monk and friar united in praying for the souls of the men who fell at Evesham as for soldiers of Christ. It was soon whispered that Heaven was attesting the sanctity of De Montfort by miracles at his tomb. How great was the effect of this belief was seen in the efforts of king and pope to suppress the miracles, and in their continuance not only through the reign of Edward the First but even in the days of his successor. But its immediate result was a sudden revival of hope. "Sighs are changed into songs of praise," breaks out a monk of the time, "and the greatness of our former joy has come to life again!" Nor was it in miracles alone that the "faithful," as they proudly styled themselves, began to look for relief "from the oppression of the malignants." A monk of St. Alban's, who was penning a eulogy of Earl Simon in the midst of this

uproar, saw the rise of a new spirit of resistance in the streets of the little town. In dread of war it was guarded and strongly closed with bolts and bars, and refused entrance to all strangers, and above all to horsemen, who wished to pass through. The Constable of Hertford, an old foe of the townsmen, boasted that spite of bolts and bars he would enter the place and carry off four of the best villeins captive. He contrived to make his way in; but, as he loitered idly about, a butcher who passed by heard him ask his men how the wind stood. The butcher guessed his design to burn the town, and felled him to the ground. The blow roused the townsmen. They secured the constable and his followers, struck off their heads, and fixed them at the four corners of the borough.

248. The popular reaction gave fresh heart to the younger Simon. Quitting Kenilworth, he joined in November John D'Eyvill and Baldewin Wake in the Isle of Axholme, where the disinherited were gathering in arms. So fast did horse and foot flow into him that Edward himself hurried into Lincolnshire to meet this new danger. He saw that the old strife was just breaking out again. The garrison of Kenilworth scoured the country; the men of the Cinque Ports, putting wives and children on board their barks, swept the Channel and harried the coasts; while Llewellyn, who had brought about the dissolution of parliament by a raid upon Chester, butchered the forces sent against him, and was master of the border. The one thing needed to link the forces of resistance together was a head, and such a head the appearance

of Simon at Axholme seemed to promise. But Edward was resolute in his plan of conciliation. Arriving before the camp at the close of 1265, he at once entered into negotiations with his cousin, and prevailed on him to quit the island and appear before the king. Richard of Cornwall welcomed Simon at the court; he presented him to Henry as the savior of his life, and on his promise to surrender Kenilworth, Henry gave him the kiss of peace. In spite of the opposition of Roger Mortimer and the Marcher-lords, success seemed to be crowning this bold stroke of the peace party when the Earl of Gloucester interposed. Desirous as he was of peace, the blood of De Montfort lay between him and the earl's sons, and the safety of the one lay in the ruin of the other. In the face of this danger Earl Gilbert threw his weight into the scale of the ultra-royalists, and peace became impossible. The question of restitution was shelved by a reference to arbitrators; and Simon, detained in spite of a safe-conduct, moved in Henry's train at Christmas to witness the surrender of Kenilworth, which had been stipulated as the price of his full reconciliation with the king. But hot blood was now stirred again on both sides. The garrison replied to the royal summons by a refusal to surrender. They had received ward of the castle, they said, not from Simon, but from the countess, and to none but her would they give it up. The refusal was not likely to make Simon's position an easier one. On his return to London the award of the arbitrators bound him to quit the realm and not to return save with the assent of king and baron

age when all were at peace. He remained for a while in free custody at London; but warnings that he was doomed to life-long imprisonment drove him to flight, and he finally sought a refuge over sea.

249. His escape set England again on fire. Llewellyn wasted the border; the Cinque Ports held the sea; the garrison of Kenilworth pushed their raids as far as Oxford; Baldewin Wake, with a band of the Disinherited, threw himself into the woods and harried the eastern counties; Sir Adam Gurdon, a knight of gigantic size and renowned prowess, wasted, with a smaller party, the shires of the south. In almost every county bands of outlaws were seeking a livelihood in rapine and devastation, while the royal treasury stood empty, and the enormous fine imposed upon London had been swept into the coffers of French usurers. But a stronger hand than the king's was now at the head of affairs, and Edward met his assailants with untiring energy. King Richard's son, Henry of Almaine, was sent with a large force to the north; Mortimer hurried to hold the Welsh border; Edmund was dispatched to Warwick to hold Kenilworth in check; while Edward himself marched at the opening of March to the south. The Berkshire woods were soon cleared, and at Whitsuntide Edward succeeded in dispersing Adam Gurdon's band, and in capturing its renowned leader in single combat. The last blow was already given to the rising in the north, where Henry of Almaine surprised the Disinherited at Chesterfield and took their leader, the Earl of Derby, in his bed. Though Edmund had done little but hold the Kenilworth

knights in check, the submission of the rest of the country now enabled the royal army to besiege it in force. But the king was penniless, and the parliament which he called to replenish his treasury in August showed the resolve of the nation that the strife should cease. They would first establish peace, if peace were possible, they said, and then answer the king's demand. Twelve commissioners, with Earl Gilbert at their head, were appointed on Henry's assent to arrange terms of reconciliation. They at once decided that none should be utterly disinherited for their part in the troubles, but that liberty of redemption should be left open to all. Furious at the prospect of being forced to disgorge their spoil, Mortimer and the ultra-royalists broke out in mad threats of violence, even against the life of the papal legate who had pressed for the reconciliation. But the power of the ultra-royalists was over. The general resolve was not to be shaken by the clamor of a faction, and Mortimer's route at Brecknock by Llewellyn, the one defeat that checkered the tide of success, had damaged that leader's influence. Backed by Edward and Earl Gilbert, the legate met their opposition with a threat of excommunication, and Mortimer withdrew sullenly from the camp. Fresh trouble in the country and the seizure of the Isle of Ely by a band of the Disinherited quickened the labors of the Twelve. At the close of September they pronounced their award, restoring their lands to all who made submission on a graduated scale of redemption, promising indemnity for all wrongs done during the troubles.

and leaving the restoration of the house of De Montfort to the royal will. But to these provisions were added an emphatic demand that the "king fully keep and observe those liberties of the church, charters of liberties, and forest charters, which he is expressly and by his own mouth bound so preserve and keep." "Let the king," they add, "establish on a lasting foundation those concessions which he has hitherto made of his own will and not on compulsion, and those needful ordinances which have been devised by his subjects and by his own good pleasure."

250. With this award the struggle came to an end. The garrison of Kenilworth held out indeed till November, and the full benefit of the ban was only secured when Earl Gilbert in the opening of the following year suddenly appeared in arms and occupied London. But the earl was satisfied, the Disinherited were at last driven from Ely, and Llewellyn was brought to submission by the appearance of an army at Shrewsbury. All was over by the close of 1267. His father's age and weakness, his own brilliant military successes, left Edward practically in possession of the royal power; and his influence at once made itself felt. There was no attempt to return to the misrule of Henry's reign, to his projects of continental aggrandizement or internal despotism. The constitutional system of government for which the barons had fought was finally adopted by the crown and the parliament of Marlborough which assembled in November, 1267, renewed the provisions by which the baronage had remedied the chief abuses of the time in their provisions of Oxford and Westminster.

The appointment of all officers of state indeed was jealously reserved to the crown. But the royal expenditure was brought within bounds. Taxation was only imposed with the assent of the Great Council. So utterly was the land at rest that Edward felt himself free to take the cross in 1268 and to join the crusade which was being undertaken by St. Lewis of France. He reached Tunis only to find Lewis dead and his enterprise a failure, wintered in Sicily, made his way to Acre in the spring of 1271, and spent more than a year in exploits which want of force prevented from growing into a serious campaign. He was already on his way home when the death of Henry the Third in November, 1272, called him to the throne.

CHAPTER IV.

EDWARD THE FIRST.

1272–1307.

251. In his own day and among his own subjects Edward the First was the object of an almost boundless admiration. He was in the truest sense a national king. At the moment when the last trace of foreign conquest passed away, when the descendants of those who won and those who lost at Senlac blended forever into an English people, England saw in her ruler no stranger, but an Englishman. The national tradition returned in more than the golden hair or the English name which linked him to our earlier kings. Edward's very temper was Eng-

lish to the core. In good as in evil he stands out as the typical representative of the race he ruled, like them willful and imperious, tenacious of his rights, indomitable in his pride, dogged, stubborn, slow of apprehension, narrow in sympathy, but like them, too, just in the main, unselfish, laborious, conscientious, haughtily observant of truth and self-respect, temperate, reverent of duty, religious. It is this oneness with the character of his people which parts the temper of Edward from what had till now been the temper of his house. He inherited indeed from the Angevins their fierce and passionate wrath; his punishments, when he punished in anger, were without pity; and a priest who ventured at a moment of storm into his presence with a remonstrance, dropped dead from sheer fright at his feet. But his nature had nothing of the hard selfishness, the vindictive obstinacy which had so long characterized the house of Anjou. His wrath passed as quickly as it gathered; and for the most part his conduct was that of an impulsive, generous man, trustful, averse from cruelty, prone to forgive. "No man ever asked mercy of me," he said in his old age, "and was refused." The rough soldierly nobleness of his nature broke out in incidents like that at Falkirk where he lay on the bare ground among his men, or in his refusal during a Welsh campaign to drink of the one cask of wine which had been saved from marauders. "It is I who have brought you into this strait," he said to his thirsty fellow-soldiers, "and I will have no advantage of you in meat or drink." Beneath the stern imperiousness of his outer bearing lay in

fact a strange tenderness and sensitiveness to affection. Every subject throughout his realm was drawn closer to the king, who wept bitterly at the news of his father's death though it gave him a crown, whose fiercest burst of vengeance was called out by an insult to his mother, whose crosses rose as memorials of his love and sorrow at every spot where his wife's bier rested. "I loved her tenderly in her life-time," wrote Edward to Eleanor's friend, the Abbot of Clugny; "I do not cease to love her now she is dead." And as it was with mother and wife, so it was with his people at large. All the self-concentrated isolation of the foreign kings disappeared in Edward. He was the first English ruler since the Conquest who loved his people with a personal love, and craved for their love back again. To his trust in them we owe our parliament, to his care for them the great statutes which stand in the forefront of our laws. Even in his struggles with her, England understood a temper which was so perfectly her own, and the quarrels between king and people during his reign are quarrels where, doggedly as they fought, neither disputant doubted for a moment the worth or affection of the other. Few scenes in our history are more touching than a scene during the long contest over the charter, when Edward stood face to face with his people in Westminster Hall, and with a sudden burst of tears owned himself frankly in the wrong.

252. But it was just this sensitiveness, this openness to outer impressions and outer influences that led to the strange contradictions which meet us in

Edward's career. His reign was a time in which a foreign influence told strongly on our manners, our literature, our national spirit, for the sudden rise of France into a compact and organized monarchy was now making its influence dominant in western Europe. The "chivalry" so familiar to us in the pages of Froissart, that picturesque mimicry of high sentiment, of heroism, love, and courtesy before which all depth and reality of nobleness disappeared to make room for the coarsest profligacy, the narrowest caste-spirit, and a brutal indifference to human suffering, was specially of French creation. There was a nobleness in Edward's nature from which the baser influences of this chivalry fell away. His life was pure, his piety, save when it stooped to the superstition of the time, manly and sincere, while his high sense of duty saved him from the frivolous self-indulgence of his successors. But he was far from being wholly free from the taint of his age. His passionate desire was to be a model of the fashionable chivalry of his day. His frame was that of a born soldier—tall, deep-chested, long of limb, capable alike of endurance or action, and he shared to the full his people's love of venture and hard fighting. When he encountered Adam Gurdon after Evesham, he forced him single-handed to beg for mercy. At the opening of his reign he saved his life by sheer fighting in a tournament at Chalon. It was this love of adventure which lent itself to the frivolous unreality of the new chivalry. His fame as a general seemed a small thing to Edward when compared

with his fame as a knight. At his "Round Table of Kenilworth" a hundred lords and ladies, "clad all in silk," renewed the faded glories of Arthur's court. The false air of romance which was soon to turn the gravest political resolutions into outbursts of sentimental feeling appeared in his "Vow of the Swan," when rising at the royal board he swore on the dish before him to avenge on Scotland the murder of Comyn. Chivalry exerted on him a yet more fatal influence in its narrowing of his sympathy to the noble class, and in its exclusion of the peasant and the craftsman from all claim to pity. "Knight without reproach" as he was, he looked calmly on at the massacre of the burghers of Berwick, and saw in William Wallace nothing but a common robber.

253. The French notion of chivalry had hardly more power over Edward's mind than the French conception of kingship, feudality, and law. The rise of a lawyer class was everywhere hardening customary into written rights, allegiance into subjection, loose ties, such as commendation, into a definite vassalage. But it was specially through French influence, the influence of St. Lewis and his successors, that the imperial theories of the Roman law were brought to bear upon this natural tendency of the time. When the "sacred majesty" of the Cæsars was transferred by a legal fiction to the royal head of a feudal baronage every constitutional relation was changed. The "defiance" by which a vassal renounced service to his lord became treason, his after resistance "sacrilege." That Edward could

appreciate what was sound and noble in the legal spirit around him, was shown in his reforms of our judicature and our parliament; but there was something as congenial to his mind in its definiteness, its rigidity, its narrow technicalities. He was never willfully unjust, but he was too often captious in his justice, fond of legal chicanery, prompt to take advantage of the letter of the law. The high conception of royalty which he borrowed from St. Lewis united with this legal turn of mind in the worst acts of his reign. Of rights or liberties unregistered in charter or roll Edward would know nothing, while his own good sense was overpowered by the majesty of his crown. It was incredible to him that Scotland should revolt against a legal bargain which made her national independence conditional on the terms extorted from a claimant of her throne; nor could he view in any other light but as treason the resistance of his own baronage to an arbitrary taxation which their fathers had borne.

254. It is in the anomalies of such a character as this, in its strange mingling of justice and wrongdoing, of grandeur and littleness, that we must look for any fair explanation of much that has since been bitterly blamed in Edward's conduct and policy. But what none of these anomalies can hide from us is the height of moral temper which shows itself in the tenor of his rule. Edward was every inch a king; but his notion of kingship was a lofty and a noble one. He loved power; he believed in his sovereign rights and clung to them with a stubborn tenacity. But his main end in clinging to them was

the welfare of his people. Nothing better proves the self-command which he drew from the purpose he set before him than his freedom from the common sin of great rulers—the lust of military glory. He was the first of our kings since William the Conqueror who combined military genius with political capacity; but of the warrior's temper, of the temper that finds delight in war, he had little or none. His freedom from it was the more remarkable that Edward was a great soldier. His strategy in the campaign before Evesham marked him as a consummate general. Earl Simon was forced to admire the skill of his advance on the fatal field, and the operations by which he met the risings that followed it were a model of rapidity and military grasp. In his Welsh campaigns he was soon to show a tenacity and force of will which wrested victory out of the midst of defeat. He could head a furious charge of horse as at Lewes, or organize a commissariat, which enabled him to move army after army across the harried Lowlands. In his old age he was quick to discover the value of the English archery, and to employ it as a means of victory at Falkirk. But master as he was of the art of war, and forced from time to time to show his mastery in great campaigns, in no single instance was he the assailant. He fought only when he was forced to fight; and when fighting was over he turned back quietly to the work of administration and the making of laws.

255. War in fact was with Edward simply a means of carrying out the ends of statesmanship, and it was in the character of his statesmanship that his real

greatness made itself felt. His policy was an English policy; he was firm to retain what was left of the French dominion of his race, but he abandoned from the first all dreams of recovering the wider dominions which his grandfather had lost. His mind was not on that side of the channel, but on this. He concentrated his energies on the consolidation and good government of England itself. We can only fairly judge the annexation of Wales or his attempt to annex Scotland, if we look on his efforts in either quarter as parts of the same scheme of national administration to which we owe his final establishment of our judicature, our legislation, our parliament. The character of his action was no doubt determined in great part by the general mood of his age, an age whose special task and aim seemed to be that of reducing to distinct form the principles which had sprung into a new and vigorous life during the age which preceded it. As the opening of the thirteenth century had been an age of founders, creators, discoverers, so its close was an age of lawyers, of rulers, such as St. Lewis of France or Alfonzo the Wise of Castile, organizers, administrators, framers of laws and institutions. It was to this class that Edward himself belonged. He had little of creative genius, of political originality, but he possessed in a high degree the passion for order and good government, the faculty of organization, and a love of law which broke out even in the legal chicanery to which he sometimes stooped. In the judicial reforms to which so much of his attention was directed, he showed himself, if not an "English

Justinian," at any rate a clear-sighted and judicious man of business, developing, reforming, bringing into a shape which has borne the test of five centuries' experience, the institutions of his predecessors. If the excellence of a statesman's work is to be measured by its duration, and the faculty it has shown of adapting itself to the growth and development of a nation, then the work of Edward rises to the highest standard of excellence. Our law courts preserve to this very day the form which he gave them. Mighty as has been the growth of our parliament, it has grown on the lines which he laid down. The great roll of English statutes reaches back in unbroken series to the statutes of Edward. The routine of the first Henry, the administrative changes which had been imposed on the nation by the clear head and imperious will of the second, were transformed under Edward into a political organization with carefully-defined limits, directed not by the king's will alone, but by the political impulse of the people at large. His social legislation was based in the same fashion on principles which had already been brought into practical working by Henry the Second. It was no doubt in great measure owing to this practical sense of its financial and administrative value, rather than to any foresight of its political importance, that we owe Edward's organization of our parliament. But if the institutions which we commonly associate with his name owe their origin to others, they owe their form and their perpetuity to him.

256. The king's English policy, like his English

name, was in fact the sign of a new epoch. England was made. The long period of national formation had come practically to an end. With the reign of Edward begins the constitutional England in which we live. It is not that any chasm separates our history before it from our history after it as the chasm of the Revolution divides the history of France, for we have traced the rudiments of our constitution to the first moment of the English settlement in Britain. But it is with these as with our language. The tongue of Ælfred is the very tongue we speak, but in spite of its identity with modern English it has to be learned like the tongue of a stranger. On the other hand, the English of Chaucer is almost as intelligible as our own. In the first the historian and philologer can study the origin and development of our national speech, in the last a schoolboy can enjoy the story of Troilus and Cressida or listen to the gay chat of the Canterbury Pilgrims. In precisely the same way a knowledge of our earliest laws is indispensable for the right understanding of later legislation, its origin and its development, while the principles of our parliamentary system must necessarily be studied in the Meetings of Wise Men before the conquest or the Great Council of barons after it. But the Parliaments which Edward gathered at the close of his reign are not merely illustrative of the history of later parliaments, they are absolutely identical with those which still sit at St. Stephen's. At the close of his reign, king, lords, commons, the courts of justice, the forms of public administration, the relations of church and state, all local divisions

and provincial jurisdictions, in great measure the framework of society itself, have taken the shape which they essentially retain. In a word, the long struggle of the constitution for actual existence has come to an end. The contests which follow are not contests that tell, like those that preceded them, on the actual fabric of our institutions; they are simply stages in the rough discipline by which England has learned and is still learning how best to use and how wisely to develop the latent powers of its national life, how to adjust the balance of its social and political forces, how to adapt its constitutional forms to the varying conditions of the time.

257. The news of his father's death found Edward at Capua in the opening of 1273; but the quiet of his realm under a regency of which Roger Mortimer was the practical head left him free to move slowly homewards. Two of his acts while thus journeying through Italy show that his mind was already dwelling on the state of English finance and of English law. His visit to the pope at Orvieto was with a view of gaining permission to levy from the clergy a tenth of their income for the three coming years, while he drew from Bologna its most eminent jurist, Francesco Accursi, to aid in the task of legal reform. At Paris he did homage to Philip the Third for his French possessions, and then turning southward he devoted a year to the ordering of Gascony. It was not till the summer of 1274 that the king reached England. But he had already planned the work he had to do, and the measures which he laid before the parliament of 1275 were signs of the spirit in which he was

to set about it. The First Statute of Westminster was rather a code than a statute. It contained no less than fifty-one clauses, and was an attempt to summarize a number of previous enactments contained in the Great Charter, the Provisions of Oxford, and the Statute of Marlborough, as well as to embody some of the administrative measures of Henry the Second and his son. But a more pressing need than that of a codification of the law was the need of a reorganization of finance. While the necessities of the crown were growing with the widening of its range of administrative action, the revenues of the crown admitted of no corresponding expansion. In the earliest times of our history the outgoings of the crown were as small as its income. All local expenses, whether for justice or road-making or fortress-building, were paid by local funds; and the national "fyrd" served at its own cost in the field. The produce of a king's private estates with the provisions due to him from the public lands scattered over each county, whether gathered by the king himself as he moved over his realm, or as in later days fixed at a stated rate and collected by his sheriff, were sufficient to defray the mere expenses of the court. The Danish wars gave the first shock to this simple system. To raise a ransom which freed the land from the invader, the first land-tax, under the name of the Danegeld, was laid on every hide of ground; and to this national taxation the Norman kings, added the feudal burthens of the new military estates created by the conquest, reliefs paid on inheritance, profits of marriages and ward-

ship, and the three feudal aids. But foreign warfare soon exhausted these means of revenue; the barons and bishops in their Great Council were called on at each emergency for a grant from their lands, and at each grant a corresponding demand was made by the king as a landlord on the towns, as lying for the most part in the royal demesne. The cessation of Danegeld under Henry the Second and his levy of scutage made little change in the general incidence of taxation; it still fell wholly on the land, for even the townsmen paid as holders of their tenements. But a new principle of taxation was disclosed in the tithe levied for a crusade at the close of Henry's reign. Land was no longer the only source of wealth. The growth of national prosperity, of trade and commerce, was creating a mass of personal property which offered irresistible temptations to the Angevin financiers. The old revenue from landed property was restricted and lessened by usage and compositions. Scutage was only due for foreign campaigns: the feudal aids only on rare and stated occasions: and though the fines from the shire-courts grew with the growth of society, the dues from the public lands were fixed and incapable of development. But no usage fettered the crown in dealing with personal property, and its growth in value promised a growing revenue. From the close of Henry the Second's reign, therefore, this became the most common form of taxation. Grants of from a seventh to a thirtieth of movables, household property, and stock were demanded; and it was the necessity of procuring their assent to these demands

which enabled the baronage through the reign of Henry the Third to bring a financial pressure to bear on the crown.

258. But in addition to these two forms of direct taxation, indirect taxation also was coming more and more to the front. The right of the king to grant licenses to bring goods into or to trade within the realm, a right springing from the need for his protection felt by the strangers who came there for purposes of traffic, laid the foundation of our taxes on imports. Those on exports were only a part of the general system of taxing personal property, which we have already noticed. How tempting this source of revenue was proving we see from a provision of the great charter which forbids the levy of more than the ancient customs on merchants entering or leaving the realm. Commerce was in fact growing with the growing wealth of the people. The crowd of civil and ecclesiastical buildings which date from this period shows the prosperity of the country. Christian architecture reached its highest beauty in the opening of Edward's reign; a reign marked by the completion of the abbey church of Westminster and of the cathedral church at Salisbury. An English noble was proud to be styled "an incomparable builder," while some traces of the art which was rising into life across the Alps flowed in, it may be, with the Italian ecclesiastics whom the papacy forced on the English church. The shrine of the Confessor at Westminster, the mosaic pavement beside the altar of the abbey, the paintings on the walls of its chapter-house, remind us of the schools

which were springing up under Giotto and the Pisans. But the wealth which this art progress shows drew trade to English shores. England was as yet simply an agricultural country. Gascony sent her wines; her linens were furnished by the looms of Ghent and Liége; Genoese vessels brought to her fairs the silks, the velvets, the glass of Italy. In the barks of the Hanse merchants came fur and amber from the Baltic, herrings, pitch, timber, and naval stores from the countries of the north. Spain sent us iron and war-horses. Milan sent armor. The great Venetian merchant-galleys touched the southern coasts, and left in our ports the dates of Egypt, the figs and currants of Greece, the silk of Sicily, the sugar of Cyprus and Crete, the spices of the eastern seas. Capital, too, came from abroad. The bankers of Florence and Lucca were busy with loans to the court or vast contracts with the wool-growers. The bankers of Cahors had already dealt a death-blow to the usury of the Jew. Against all this England had few exports to set. The lead supplied by the mines of Derbyshire, the salt of the Worcestershire springs, the iron of the Weald, were almost wholly consumed at home. The one metal export of any worth was that of tin from the tin mines of Cornwall. But the production of wool was fast becoming a main element of the nation's wealth. Flanders, the great manufacturing country of the time, lay fronting our eastern coast; and with this market close at hand the pastures of England found more and more profit in the supply of wool. The Cistercian order, which possessed

vast ranges of moorland in Yorkshire, became famous as wool-growers; and their wool had been seized for Richard's ransom. The Florentine merchants were developing this trade by their immense contracts; we find a single company of merchants contracting for the purchase of the Cistercian wool throughout the year. It was after counsel with the Italian bankers that Edward devised his scheme for drawing a permanent revenue from this source. In the parliament of 1275 he obtained the grant of half a mark, or six shillings and eightpence, on each sack of wool exported; and this grant, a grant memorable as forming the first legal foundation of our customs-revenue, at once relieved the necessities of the crown.

259. The grant of the wool tax enabled Edward, in fact, to deal with the great difficulty of his realm. The troubles of the barons' war, the need which Earl Simon felt of Llewellyn's alliance to hold in check the Marcher-barons, had all but shaken off from Wales the last traces of dependence. Even at the close of the war the threat of an attack from the now united kingdom only forced Llewellyn to submission on a practical acknowledgment of his sovereignty. Although the title which Llewellyn ap Jorwerth claimed of Prince of North Wales was recognized by the English court in the earlier days of Henry the Third, it was withdrawn after 1229, and its claimant known only as Prince of Aberffraw. But the loftier title of Prince of Wales, which Llewellyn ap Gryffydd assumed in 1256, was formally conceded to him in 1267, and his right to receive

homage from the other nobles of his principality was formally sanctioned. Near, however, as he seemed to the final realization of his aims, Llewellyn was still a vassal of the English crown, and the accession of Edward to the throne was at once followed by the demand of homage. But the summons was fruitless; and the next two years were wasted in as fruitless negotiation. The kingdom, however, was now well in hand. The royal treasury was filled again, and in 1277 Edward marched on North Wales. The fabric of Welsh greatness fell at a single blow. The chieftains who had so lately sworn fealty to Llewellyn in the southern and central parts of the country deserted him to join his English enemies in their attack; an English fleet reduced Anglesea; and the prince was cooped up in his mountain fastnesses, and forced to throw himself on Edward's mercy. With characteristic moderation the conqueror contented himself with adding to the English dominions the coast-district as far as Conway, and with providing that the title of Prince of Wales should cease at Llewellyn's death. A heavy fine which he had incurred by his refusal to do homage was remitted; and Eleanor, a daughter of Earl Simon of Montfort, whom he had sought as his wife, but who had been arrested on her way to him, was wedded to the prince at Edward's court.

260. For four years all was quiet across the Welsh Marches, and Edward was able again to turn his attention to the work of internal reconstruction. It is probably to this time, certainly to the earlier years of his reign, that we may attribute his modification

or our judicial system. The king's court was divided into three distinct tribunals: the court of exchequer, which took cognizance of all causes in which the royal revenue was concerned; the court of common pleas for suits between private persons; and the king's bench, which had jurisdiction in all matters that affected the sovereign, as well as in "pleas of the crown," or criminal causes expressly reserved for his decision. Each court was now provided with a distinct staff of judges. Of yet greater importance than this change, which was in effect but the completion of a process of severance that had long been going on, was the establishment of an equitable jurisdiction, side by side with that of the common law. In his reform of 1178, Henry the Second broke up the older king's court, which had till then served as the final court of appeal, by the severance of the purely legal judges, who had been gradually added to it, from the general body of his councilors. The judges thus severed from the council retained the name and the ordinary jurisdiction of "the king's court," but the mere fact of their severance changed in an essential way the character of the justice they dispensed. The king in council wielded a power which was not only judicial, but executive; his decisions, though based upon custom, were not fettered by it; they were the expressions of his will, and it was as his will that they were carried out by officers of the crown. But the separate bench of judges had no longer this unlimited power at their command. They had not the king's right as representative of the community to make the law

for the redress of a wrong. They professed simply to declare what the exisiting law was, even if it was insufficient for the full purpose of redress. The authority of their decision rested mainly on their adhesion to ancient custom, or as it was styled the "common law," which had grown up in the past. They could enforce their decisions only by directions to an independent officer, the sheriff, and here again their right was soon rigidly bounded by set form and custom. These bonds, in fact, became tighter every day, for their decisions were now beginning to be reported, and the cases decided by one bench of judges became authorities for their successors. It is plain that such a state of things has the utmost value in many ways, whether in creating in men's minds that impersonal notion of a sovereign law, which exercises its imaginative force on human action, or in furnishing, by the accumulation and sacredness of precedents, a barrier against the invasion of arbitrary power. But it threw a terrible obstacle in the way of the actual redress of wrong. The increasing complexity of human action as civilization advanced outstripped the efforts of the law. Sometimes ancient custom furnished no redress for a wrong which sprang from modern circumstances. Sometimes the very pedantry and inflexibility of the law itself became, in individual cases, the highest injustice.

261. It was the consciousness of this that made men cling even from the first moment of the independent existence of these courts to the judicial power which still remained inherent in the crown

itself. If his courts fell short in any matter, the duty of the king to do justice to all still remained, and it was this obligation which was recognized in the provision of Henry the Second by which all cases in which his judges failed to do justice were reserved for the special cognizance of the royal council itself. To this final jurisdiction of the king in council Edward gave a wide development. His assembly of the ministers, the higher permanent officials, and the law officers of the crown for the first time reserved to itself in its judicial capacity the correction of all breeches of the law which the lower courts had failed to repress, whether from weakness, partiality, or corruption, and especially of those lawless outbreaks of the more powerful baronage which defied the common authority of the judges. Such powers were of course capable of terrible abuse, and it shows what real need there was felt to be for their exercise that, though regarded with jealousy by parliament, the jurisdiction of the royal council appears to have been steadily put into force through the two centuries which followed. In the reign of Henry the Seventh it took legal and statutory form in the shape of the court of star chamber, and its powers are still exercised in our own day by the judicial committee of the privy council. But the same duty of the crown to do justice where its courts fell short of giving due redress for wrong expressed itself in the jurisdiction of the chancellor. This great officer of state, who had perhaps originally acted only as president of the council when discharging its judicial functions,

acquired at a very early date an independent judicial position of the same nature. It is by remembering this origin of the court of chancery that we understand the nature of the powers it gradually acquired. All grievances of the subject, especially those which sprang from the misconduct of government officials or of powerful oppressors, fell within its cognizance as they fell within that of the royal council, and to these were added disputes respecting the wardship of infants, dower, rent-charges, or tithes. Its equitable jurisdiction sprang from the defective nature and the technical and unbending rules of the common law. As the council had given redress in cases where law became injustice, so the court of chancery interfered without regard to the rules of procedure adopted by the common law courts on the petition of a party for whose grievance the common law provided no adequate remedy. An analogous extension of his powers enabled the chancellor to afford relief in cases of fraud, accident, or abuse of trust, and this side of his jurisdiction was largely extended at a later time by the results of legislation on the tenure of land by ecclesiastical bodies. The separate powers of the chancellor, whatever was the original date at which they were first exercised, seem to have been thoroughly established under Edward the First.

262. What reconciled the nation to the exercise of powers such as these by the crown and its council was the need which was still to exist for centuries of an effective means of bringing the baronage within the reach of the law. Constitutionally the position of the English nobles had now become established

A king could no longer make laws or levy taxes or even make war without their assent. The nation reposed in them an unwavering trust, for they were no longer the brutal foreigners from whose violence the strong hand of a Norman ruler had been needed to protect his subjects; they were as English as the peasant or the trader. They had won English liberty by their swords, and the tradition of their order bound them to look on themselves as its natural guardians. The close of the Barons' war solved the problem which had so long troubled the realm—the problem how to insure the government of the realm in accordance with the provisions of the Great Charter, by the transfer of the business of administration into the hands of a standing committee of the greater barons and prelates, acting as chief officers of state in conjunction with specially appointed ministers of the crown. The body thus composed was known as the continual council; and the quiet government of the kingdom by this body in the long interval between the death of Henry the Third and his son's return shows how effective this rule of the nobles was. It is significant of the new relation which they were to strive to establish between themselves and the crown, that in the brief which announced Edward's accession the council asserted that the new monarch mounted his throne "by the will of the peers." But while the political influence of the baronage as a leading element in the whole nation thus steadily mounted, the personal and purely feudal power of each individual baron on his own estates as steadily fell. The hold which the crown gained on every

noble family by its rights of wardship and marriage, the circuits of the royal judges, the ever narrowing bounds within which baronial justice saw itself circumscribed, the blow dealt by scutage at their military power, the prompt intervention of the council in their feuds, lowered the nobles more and more to the common level of their fellow-subjects. Much yet remained to be done; for within the general body of the baronage there existed side by side with the nobles whose aims were purely national, nobles who saw in the overthrow of the royal despotism simply a chance of setting up again their feudal privileges; and different as the English baronage, taken as a whole, was from a feudal *noblesse* like that of Germany or France, there is in every military class a natural drift toward violence and lawlessness. Throughout Edward's reign his strong hand was needed to enforce order on warring nobles. Great earls, such as those of Gloucester and Hereford, carried on private war; in Shropshire the Earl of Arundel waged his feud with Fulk Fitz Warine. To the lesser and poorer nobles the wealth of the trader, the long wain of goods as it passed along the highway, remained a tempting prey. Once, under cover of a mock tournament of monks against canons, a band of country gentlemen succeeded in introducing themselves into the great merchant fair at Boston; at nightfall every booth was on fire, the merchants robbed and slaughtered, and the booty carried off to ships which lay ready at the quay. Streams of gold and silver, ran the tale of popular horror, flowed melted down the gutters to the sea; "all the money

in England could hardly make good the loss." Even at the close of Edward's reign lawless bands of "trail-bastons," or club-men, maintained themselves by general outrage, aided the country nobles in their feuds, and wrested money and goods from the great tradesmen.

263. The king was strong enough to face and imprison the warring earls, to hang the chiefs of the Boston marauders, and to suppress the outlaws by rigorous commissions. But the repression of baronial outrage was only a part of Edward's policy in relation to the baronage. Here, as elsewhere, he had to carry out the political policy of his house, a policy defined by the great measures of Henry the Second, his institution of scutage, his general assize of arms, his extension of the itinerant judicature of the royal judges. Forced by the first to an exact discharge of their military duties to the crown, set by the second in the midst of a people trained equally with the nobles to arms, their judicial tyranny curbed and subjected to the king's justice by the third, the barons had been forced from their old standpoint of an isolated class to the new and nobler position of a people's leaders. Edward watched jealously over the ground which the crown had gained. Immediately after his landing he appointed a commission of inquiry into the judicial franchises then existing, and on its report (of which the existing "Hundred-Rolls" are the result) itinerant justices were sent in 1278, to discover by what right these franchises were held. The writs of "quo warranto" were roughly met here and there. Earl Warenne bared a rusty sword and

flung it on the justices' table. "This, sirs," he said, "is my warrant. By the sword our fathers won their lands when they came over with the Conqueror, and by the sword we will keep them." But the king was far from limiting himself to the mere carrying out of the plans of Henry the Second. Henry had aimed simply at lowering the power of the great feudatories; Edward aimed rather at neutralizing their power by raising the whole body of land-owners to the same level. We shall see at a later time the measures which were the issues of this policy, but in the very opening of his reign a significant step pointed to the king's drift. In the summer of 1278 a royal writ ordered all freeholders who held lands to the value of £20 to receive knighthood at the king's hands.

264. Acts as significant announced Edward's purpose of carrying out another side of Henry's policy —that of limiting in the same way the independent jurisdiction of the church. He was resolute to force it to become thoroughly national by bearing its due part of the common national burthens, and to break its growing dependence upon Rome. But the ecclesiastical body was jealous of its position as a power distinct from the power of the crown, and Edward's policy had hardly declared itself, when, in 1279, Archbishop Peckham obtained a canon from the clergy, by which copies of the great charter, with its provisions in favor of the liberties of the church, were to be affixed to the doors of churches. The step was meant as a defiant protest against all interference, and it was promptly forbidden. An order

issued by the primate to the clergy to declare to their flocks the sentences of excommunication directed against all who obtained royal writs to obstruct suits in church courts, or who, whether royal officers or no, neglected to enforce their sentences, was answered in a yet more emphatic way. By falling into the "dead hand" or "mortmain" of the church, land ceased to render its feudal services; and, in 1279, the statute "de Religiosis," or, as it is commonly called, of "mortmain," forbade any further alienation of land to religious bodies in such wise that it should cease to render its due service to the king. The restriction was probably no beneficial one to the country at large, for churchmen were the best landlords, and it was soon evaded by the ingenuity of the clerical lawyers; but it marked the growing jealousy of any attempt to set aside what was national from serving the general need and profit of the nation. Its immediate effect was to stir the clergy to a bitter resentment. But Edward remained firm, and when the bishops proposed to restrict the royal courts from dealing with cases of patronage or causes which touched the chattels of churchmen, he met their proposals by an instant prohibition.

265. The resentment of the clergy had soon the means of showing itself during a new struggle with Wales. The persuasions of his brother, David, who had deserted him in the previous war, but who deemed his desertion insufficiently rewarded by an English lordship, roused Llewellyn to a fresh revolt. A prophecy of Merlin was said to promise that when English money became round, a prince of Wales

should be crowned in London; and at this moment a new coinage of copper money, coupled with a prohibition to break the silver penny into halves and quarters, as had been commonly done, was supposed to fulfill the prediction. In 1282, Edward marched in overpowering strength into the heart of Wales. But Llewellyn held out in Snowdon with the stubbornness of despair, and the rout of an English force which had crossed into Anglesea, prolonged the contest into the winter. The cost of the war fell on the king's treasury. Edward had called for but one general grant through the past eight years of his reign; but he was now forced to appeal to his people, and by an expedient hitherto without precedent, two provincial councils were called for this purpose. That for southern England met at Northampton, that for northern at York; and clergy and laity were summoned, though in separate session, to both. Two knights came from every shire, two burgesses from every borough, while the bishops brought their archdeacons, abbots, and the proctors of their cathedral clergy. The grant of the laity was quick and liberal. But both at York and Northampton the clergy showed their grudge at Edward's measures by long delays in supplying his treasury. Pinched, however, as were his resources, and terrible as were the sufferings of his army through the winter, Edward's firmness remained unbroken; and, rejecting all suggestions of retreat, he issued orders for the formation of a new army at Caermarthen to complete the circle of investment round Llewellyn. But the war came suddenly to an end. The prince sallied from his moun-

tain hold for a raid upon Radnorshire, and fell in a petty skirmish on the banks of the Wye. With him died the independence of his race. After six months of flight, his brother David was made prisoner; and a parliament summoned at Shrewsbury in the autumn of 1283, to which each county again sent its two knights and twenty boroughs their two burgesses, sentenced him to a traitor's death. The submission of the lesser chieftains soon followed; and the country was secured by the building of strong castles at Conway and Caernarvon, and the settlement of English barons on the confiscated soil. The statute of Wales, which Edward promulgated at Rhuddian in 1284 proposed to introduce English law and the English administration of justice and government into Wales. But little came of the attempt; and it was not till the time of Henry the Eighth that the country was actually incorporated with England and represented in the English parliament. What Edward had really done was to break the Welsh resistance. The policy with which he followed up his victory (for the "massacre of the bards" is a mere fable) accomplished its end, and, though two later rebellions and a ceaseless strife of the natives with the English towns in their midst showed that the country was still far from being reconciled to its conquest, it ceased to be any serious danger to England for a hundred years.

266. From the work of conquest, Edward again turned to the work of legislation. In the midst of his struggle with Wales, he had shown his care for the commercial classes, by a statute of merchants, in

1283, which provided for the registration of the debts of traders and for their recovery by distraint of the debtor's goods, and the imprisonment of his person. The close of the war saw two measures of even greater importance. The second statute of Westminster, which appeared in 1285, is a code of the same sort as the first, amending the statutes of mortmain, of Merton, and of Gloucester, as well as the laws of dower and advowson, remodeling the system of justices of assize, and curbing the abuses of manorial jurisdiction. In the same year appeared the greatest of Edward's measures for the enforcement of public order. The statute of Winchester revived and reorganized the old institutions of national police and national defense. It regulated the action of the hundred, the duty of watch and ward and the gathering of the fyrd or militia of the realm, as Henry the Second had molded it into form in his assize of arms. Every man was bound to hold himself in readiness, duly armed, for the king's service in case of invasion or revolt, and to pursue felons when hue and cry were made after them. Every district was held responsible for crimes committed within its bounds; the gates of each town were to be shut at nightfall; and all strangers were required to give an account of themselves to the magistrates of any borough which they entered. By a provision, which illustrates at once the social and physical condition of the country at the time, all brushwood was ordered to be destroyed within a space of two hundred feet on either side of the public highway as a security for travelers against sudden attacks from

robbers. To enforce the observance of this act, knights were appointed in every shire, under the name of conservators of the peace, a name which, as the benefit of these local magistrates was more sensibly felt and their powers were more largely extended, was changed into that which they still retain, of justices of the peace. So orderly, however, was the realm, that Edward was able, in 1286, to pass over sea to his foreign dominions, and to spend the next three years in reforming their government. But the want of his guiding hand was at last felt; and the parliament of 1289 refused a new tax till the king came home again.

267. He returned to find the earls of Gloucester and Hereford at war, and his judges charged with violence and corruption. The two earls were brought to peace, and Earl Gilbert allied closely to the royal house by a marriage with the king's daughter Johanna. After a careful investigation the judicial abuses were recognized and amended. Two of the chief justices were banished from the realm, and their colleagues imprisoned and fined. But these administrative measures were only preludes to a great legislative act which appeared in 1290. The third statute of Westminster, or, to use the name by which it is more commonly known, the statute "Quia Emptores," is one of those legislative efforts which mark the progress of a wide social revolution in the country at large. The number of the greater barons was diminishing every day, while the number of the country gentry and of the more substantial yeomanry was increasing with the increase of the national wealth. The

increase showed itself in a growing desire to become proprietors of land. Tenants of the barons received under-tenants on condition of their rendering them similar services to those which they themselves rendered to their lords; and the baronage, while duly receiving the services in compensation for which they had originally granted their lands in fee, saw with jealousy the feudal profits of these new under-tenants, the profits of wardships or of reliefs and the like, in a word, the whole increase in the value of the estate consequent on its sub-division and higher cultivation, passing into other hands than their own. The purpose of the statute "Quia Emptores" was to check this process by providing that in any case of alienation the sub-tenant should henceforth hold, not of the tenant, but directly of the superior lord. But its result was to promote instead of hindering the transfer and sub-division of land. The tenant who was compelled before the passing of the statute to retain in any case so much of the estate as enabled him to discharge his feudal services to the overlord of whom he held it, was now enabled by a process analogous to the modern sale of "tenant-right" to transfer both land and services to new holders. However small the estates thus created might be, the bulk were held directly of the crown; and this class of lesser gentry and freeholders grew steadily from this time in numbers and importance.

268. The year which saw "Quia Emptores," saw a step which remains the great blot upon Edward's reign. The work abroad had exhausted the royal

treasury, and he bought a grant from his parliament by listening to their wishes in the matter of the Jews. Jewish traders had followed William the Conqueror from Normandy, and had been enabled by his protection to establish themselves in separate quarters or "Jewries" in all larger English towns. The Jew had no right or citizenship in the land. The Jewry in which he lived was exempt from the common law. He was simply the king's chattel, and his life and goods were at the king's mercy. But he was too valuable a possession to be lightly thrown away. If the Jewish merchant had no standing-ground in the local court, the king enabled him to sue before a special justiciar; his bonds were deposited for safety in a chamber of the royal palace at Westminster; he was protected against the popular hatred in the free exercise of his religion, and allowed to build synagogues and to manage his own ecclesiastical affairs by means of a chief rabbi. The royal protection was dictated by no spirit of tolerance or mercy. To the kings the Jew was a mere engine of finance. The wealth which he accumulated was wrung from him whenever the crown had need, and torture and imprisonment were resorted to when milder means failed. It was the gold of the Jew that filled the royal treasury at the outbreak of war or revolt. It was in the Hebrew coffers that the foreign kings found strength to hold their baronage at bay.

269. That the presence of the Jew was, at least in the earlier years of his settlement, beneficial to the nation at large, there can be little doubt. His arrival was the arrival of a capitalist; and heavy as was the

usury he necessarily exacted in the general insecurity of the time, his loans gave an impulse to industry. The century which followed the conquest witnessed an outburst of architectural energy which covered the land with castles and cathedrals; but castle and cathedral alike owed their erection to the loans of the Jew. His own example gave a new vigor to domestic architecture. The buildings which, as at Lincoln and Bury St. Edmund's, still retain their name of "Jews' houses," were almost the first houses of stone which superseded the mere hovels of the English burghers. Nor was their influence simply industrial. Through their connection with the Jewish schools in Spain and the East, they opened a way for the revival of physical sciences. A Jewish medical school seems to have existed at Oxford; Roger Bacon himself studied under English rabbis. But the general progress of civilization now drew little help from the Jew, while the coming of the Cahorsine and Italian bankers drove him from the field of commercial finance. He fell back on the petty usury of loans to the poor, a trade necessarily accompanied with much of extortion, and which roused into fiercer life the religious hatred against their race. Wild stories floated about of children carried off to be circumcised or crucified, and a Lincoln boy who was found slain in a Jewish house was canonized by popular reverence as "St. Hugh." The first work of the friars was to settle in the Jewish quarters and attempt their conversion, but the popular fury rose too fast for these gentler means of reconciliation. When the Franciscans saved seventy Jews from hanging by

their prayer to Henry the Third, the populace angrily refused the brethren alms.

270. But all this growing hate was met with a bold defiance. The picture which is commonly drawn of the Jew as timid, silent, crouching under oppression, however truly it may represent the general position of his race throughout mediæval Europe, is far from being borne out by historical fact on this side the channel. In England the attitude of the Jew, almost to the very end, was an attitude of proud and even insolent defiance. He knew that the royal policy exempted him from the common taxation, the common justice, the common obligations of Englishmen. Usurer, extortioner as the realm held him to be, the royal justice would secure him the repayment of his bonds. A royal commission visited with heavy penalties any outbreak of violence against the king's "chattels." The red king actually forbade the conversion of a Jew to the Christian faith; it was a poor exchange, he said, that would rid him of a valuable property and give him only a subject. We see in such a case as that of Oxford the insolence that grew out of this consciousness of the royal protection. Here as elsewhere the Jewry was a town within a town, with its own language, its own religion and law, its peculiar commerce, its peculiar dress. No city bailiff could penetrate into the square of little alleys which lay behind the present town hall; the church itself was powerless to prevent a synagogue from rising in haughty rivalry over against the cloister of St. Frideswide. Prior Philip of St. Frideswide com-

plains bitterly of a certain Hebrew who stood at his door as the procession of the saint passed by, mocking at the miracles which were said to be wrought at her shrine. Halting and then walking firmly on his feet, showing his hands clenched as if with palsy, and then flinging open his fingers, the Jew claimed gifts and oblations from the crowd that flocked to St. Frideswide's shrine on the ground that such recoveries of life and limb were quite as real as any that Frideswide ever wrought. Sickness and death in the prior's story avenge the saint on her blasphemer, but no earthly power, ecclesiastical or civil, seems to have ventured to deal with him. A more daring act of fanaticism showed the temper of the Jews even at the close of Henry the Third's reign. As the usual procession of scholars and citizens returned from St. Frideswide's on the Ascension day of 1268, a Jew suddenly burst from a group of his comrades in front of the synagogue, and wrenching the crucifix from its bearer trod it under foot. But even in presence of such an outrage as this the terror of the crown sheltered the Oxford Jews from any burst of popular vengeance. The sentence of the king condemned them to set up a cross of marble on the spot where the crime was committed, but even this sentence was in part remitted, and a less offensive place was found for the cross in an open plot by Merton College.

271. Up to Edward's day, indeed, the royal protection had never wavered. Henry the Second granted the Jews a right of burial outside every city where they dwelt. Richard punished heavily a mas-

sacre of the Jews at York, and organized a mixed court of Jews and Christians for the registration of their contracts. John suffered none to plunder them save himself, though he once wrested from them a sum equal to a year's revenue of his realm. The troubles of the next reign brought in a harvest greater than even the royal greed could reap; the Jews grew wealthy enough to acquire estates; and only a burst of popular feeling prevented a legal decision which would have enabled them to own freeholds. But the sack of Jewry after Jewry showed the popular hatred during the Barons' war, and at its close fell on the Jews the more terrible persecution of the law. To the cry against usury and the religious fanaticism which threatened them was now added the jealousy with which the nation that had grown up round the charter regarded all exceptional jurisdictions or exemptions from the common law and the common burdens of the realm. As Edward looked on the privileges of the church or the baronage, so his people looked on the privileges of the Jews. The growing weight of the parliament told against them. Statute after statute hemmed them in. They were forbidden to hold real property, to employ Christian servants, to move through the streets without the two white tablets of wool on their breasts which distinguished their race. They where prohibited from building new synagogues, or eating with Christians, or acting as physicians to them. Their trade, already crippled by the rivalry of the bankers of Cahors, was annihilated by a royal order which bade them renounce usury under pain of death. At last persecu-

tion could do no more, and Edward, eager at the moment to find supplies for his treasury and himself, swayed by the fanaticism of his subjects, bought the grant of a fifteenth from clergy and laity by consenting to drive the Jews from his realm. No share of the enormities which accompanied this expulsion can fall upon the king, for he not only suffered the fugitives to take their personal wealth with them, but punished with the halter those who plundered them at sea. But the expulsion was none the less cruel. Of the 16,000 who preferred exile to apostasy, few reached the shores of France. Many were wrecked, others robbed and flung overboard. One ship-master turned out a crew of wealthy merchants on to a sand-bank and bade them call a new Moses to save them from the sea.

272. From the expulsion of the Jews, as from his nobler schemes of legal and administrative reforms, Edward was suddenly called away to face complex questions which awaited him in the north. At the moment which we have reached, the kingdom of the Scots was still an aggregate of four distinct countries, each with its different people, its different tongue, its different history. The old Pictish kingdom across the Firth of Forth, the original Scot kingdom in Argyle, the district of Cumbria or Strathclyde, and the Lowlands which stretched from the Firth of Forth to the English border, had become united under the kings of the Scots; Pictland by inheritance, Cumbria by a grant from the English king Eadmund, the Lowlands by conquest, confirmed as English tradition alleged by a grant

from Cnut. The shadowy claim of dependence on the English crown which dated from the days when a Scotch king "commended" himself and his people to Ælfred's son Eadward, a claim strengthened by the grant of Cumbria to Malcolm as a "fellow worker" of the English sovereign "by sea and land," may have been made more real through this last convention. But whatever change the acquisition of the Lowlands made in the relation of the Scot kings to the English sovereigns, it certainly affected in a very marked way their relation both to England and to their own realm. Its first result was the fixing of the royal residence in their new southern dominion at Edinburgh; and the English civilization which surrounded them from the moment of this settlement on what was purely English ground changed the Scot kings in all but blood into Englishmen. The marriage of King Malcolm with Margaret, the sister of Eadgar Ætheling, not only hastened this change but opened a way to the English crown. Their children were regarded by a large party within England as representatives of the older royal race and as claimants of the throne, and this danger grew as William's devastation of the north not only drove fresh multitudes of Englishmen to settle in the Lowlands, but filled the Scotch court with English nobles who fled thither for refuge. So formidable, indeed, became the pretensions of the Scot kings that they forced the ablest of our Norman sovereigns into a complete change of policy. The Conqueror and William the Red had met the threats of the Scot sovereigns by invasions which ended, again and

again, in an illusory homage, but the marriage of Henry the First with the Scottish Matilda robbed the claims of the Scottish line of much of their force, while it enabled him to draw their kings into far closer relations with the Norman throne. King David not only abandoned the ambitious dreams of his predecessors to place himself at the head of his niece Matilda's party in her contest with Stephen, but as Henry's brother-in-law he figured as the first noble of the English court and found English models and English support in the work of organization which he attempted within his own dominions. As the marriage with Margaret had changed Malcolm from a Celtic chieftain into an English king, so that of Matilda brought about the conversion of David into a Norman and feudal sovereign. His court was filled with Norman nobles from the south, such as the Balliols and Bruces, who were destined to play so great a part afterwards, but who now for the first time obtained fiefs in the Scottish realm, and a feudal jurisprudence modeled on that of England was introduced into the Lowlands.

273. A fresh connection between Scotland and the English sovereigns began with the grant of lordships within England itself to the Scot kings or their sons. The earldom of Northumberland was held by David's son Henry, that of Huntingdon by Henry the Lion. Homage was sometimes rendered, whether for these lordships, for the Lowlands, or for the whole Scottish realm, but it was the capture of William the Lion during the revolt of the English baronage which first suggested to the ambition of

Henry the Second the project of a closer dependence of Scotland on the English crown. To gain his freedom William consented to hold his kingdom of Henry and his heirs. The prelates and lords of Scotland did homage to Henry as to their direct lord, and a right of appeal in all Scotch causes was allowed to the superior court of the English suzerain. From this bondage, however, Scotland was freed by the prodigality of Richard, who allowed her to buy back the freedom she had forfeited. Both sides fell into their old position, but both were ceasing gradually to remember the distinctions between the various relations in which the Scot king stood for his different provinces to the English crown. Scotland had come to be thought of as a single country; and the court of London transferred to the whole of it those claims of direct feudal suzerainty which at most applied only to Strathclyde, while the court of Edinburgh looked on the English Lowlands as holding no closer relation to England than the Pictish lands beyond the Forth. Any difficulties which arose were evaded by a legal compromise. The Scot kings repeatedly did homage to the English sovereign, but with a reservation of rights which were prudently left unspecified. The English king accepted the homage on the assumption that it was rendered to him as overlord of the Scottish realm, and this assumption was neither granted nor denied. For nearly a hundred years the relations of the two countries were thus kept peaceful and friendly, and the death of Alexander the Third seemed destined to remove even the necessity of protests by a closer union of the two king-

doms. Alexander had wedded his only daughter to the King of Norway, and after long negotiation the Scotch parliament proposed the marriage of Margaret, "the Maid of Norway," the girl who was the only issue of this marriage, and so heiress of the kingdom, with the son of Edward the First. It was, however, carefully provided in the marriage treaty, which was concluded at Brigham in 1290, that Scotland should remain a separate and free kingdom, and that its laws and customs should be preserved inviolate. No military aid was to be claimed by the English king, no Scotch appeal to be carried to an English court. But this project was abruptly frustrated by the child's death during her voyage to Scotland in the following October, and with the rise of claimant after claimant of the vacant throne Edward was drawn into far other relations to the Scottish realm.

274. Of the thirteen pretenders to the throne of Scotland only three could be regarded as serious claimants By the extinction of the line of William the Lion the right of succession passed to the daughters of his brother David. The claim of John Balliol, lord of Galloway, rested on his descent from the elder of these; that of Robert Bruce, lord of Annandale, on his descent from the second; that of John Hastings, lord of Abergavenny, on his descent from the third. It is clear that at this crisis every one in Scotland, or out of it, recognized some sort of overlordship in Edward, for the Norwegian king, the primate of St. Andrews, and seven of the Scotch earls had already appealed to him before Margaret's death; and her death was followed by the consent

both of the claimants and the council of regency to refer the question of the succession to his decision in a parliament at Norham. But the overlordship which the Scots acknowledged was something far less direct and definite than the superiority which Edward claimed at the opening of this conference in May, 1291. His claim was supported by excerpts from monastic chronicles and by the slow advance of an English army; while the Scotch lords, taken by surprise, found little help in the delay which was granted them. At the opening of June, therefore, in common with nine of the claimants, they formally admitted Edward's direct suzerainty. To the no bles, in fact, the concession must have seemed a small one, for like the principal claimants they were for the most part Norman in blood, with estates in both countries, and looking for honors and pensions from the English court. From the commons, who were gathered with the nobles at Norham, no such admission of Edward's claims could be extorted; but in Scotland, feudalized as it had been by David, the commons were as yet of little weight, and their opposition was quietly passed by. All the rights of a feudal suzerain were at once assumed by the English king; he entered into the possession of the country as into that of a disputed fief to be held by its overlord till the dispute was settled, his peace was sworn thoughout the land, its castles delivered into his charge, while its bishops and nobles swore homage to him directly as their lord superior. Scotland was thus reduced to the subjection which she had experienced under Henry the Second; but the

full discussion which followed over the various claims to the throne showed that, while exacting to the full what he believed to be his right, Edward desired to do justice to the country itself. The body of commissioners which the king named to report on the claims to the throne were mainly Scotch. A proposal for the partition of the realm among the claimants was rejected as contrary to Scotch law. On the report of the commissioners, after a twelvemonth's investigation, in favor of Balliol as representative of the elder branch at the close of the year 1292, his homage was accepted for the whole kingdom of Scotland with a full acknowledgment of the services due from him to its overlord. The castles were at once delivered to the new monarch, and for a time there was peace.

275. With the accession of Balliol and the rendering of his homage for the Scottish realm the greatness of Edward reached its height. He was lord of Britain as no English king had been before. The last traces of Welch independence were trodden under foot. The shadowy claims of supremacy over Scotland were changed into a direct overlordship. Across the one sea Edward was lord of Guienne, across the other of Ireland, and in England itself a wise and generous policy had knit the whole nation round his throne. Firmly as he still clung to prerogatives which the baronage were as firm not to own, the main struggle for the charter was over. Justice and good government were secured. The personal despotism which John had striven to build up, the imperial autocracy which had haunted the

imagination of Henry the Third, were alike set aside. The rule of Edward, vigorous and effective as it was, was a rule of law, and of law enacted not by the royal will, but by the common council of the realm. Never had English ruler reached a greater height of power, nor was there any sign to warn the king of the troubles which awaited him. France, jealous as it was of his greatness and covetous of his Gascon possessions, he could hold at bay. Wales was growing tranquil. Scotland gave few signs of discontent or restlessness in the first year that followed the homage of the king. Under John Balliol it had simply fallen back into the position of dependence which it held under William the Lion, and Edward had no purpose of pushing further his rights as suzerain than Henry the Second had done. One claim of the English crown, indeed, was soon a subject of dispute between the lawyers of the Scotch and of the English council boards. Edward would have granted as freely as Balliol himself that though Scotland was a dependent kingdom, it was far from being an ordinary fief of the English crown. By feudal custom a distinction had always been held to exist between the relations of a dependent king to a superior lord and those of a vessal noble to his sovereign. At Balliol's homage, indeed, Edward had disclaimed any right to the ordinary feudal incidents of a fief, those of wardship or marriage, and in this disclaimer he was only repeating the reservations of the marriage treaty of Brigham. There were other customs of the Scotch realm as incontestable as these. Even after the treaty of Falaise the Scotch

king had not been held bound to attend the council of the English baronage, to do service in English warfare, or to contribute on the part of his Scotch realm to English aids. If no express acknowledgment of these rights had been made by Edward for some time after his acceptance of Balliol's homage they were practically observed. The claim of independent justice was more doubtful, as it was of higher import than these. The judicial independence of Scotland had been expressly reserved in the marriage treaty. It was certain that no appeal from a Scotch king's court to that of his overlord had been allowed since the days of William the Lion. But in the jurisprudence of the feudal lawyers the right of ultimate appeal was the test of sovereignty, and Edward regarded Balliol's homage as having placed him precisely in the position of William the Lion and subjected his decisions to those of his overlord. He was resolute, therefore, to assert the supremacy of his court and to receive Scotch appeals.

276. Even here, however, the quarrel seemed likely to end only in legal bickering. Balliol at first gave way, and it was not till 1293 that he alleged himself forced by the resentment both of his baronage and his people to take up an attitude of resistance. While appearing, therefore, formally at Westminster he refused to answer an appeal before the English courts save by advice of his council. But real as the resentment of his barons may have been, it was not Scotland which really spurred Balliol to this defiance. His wounded pride had made him the tool of a power beyond the sea. The keenness with which

France had watched every step of Edward's success in the north sprang not merely from a natural jealousy of his greatness, but from its bearing on a great object of French ambition. One fragment of Eleanor's inheritance still remained to her descendants, Guienne and Gascony, the fair lands along the Garonne and the territory which stretched south of that river to the Pyrenees. It was this territory that now tempted the greed of Philip the Fair, and it was in feeding the strife between England and the Scotch king that Philip saw an opening for winning it. French envoys, therefore, brought promises of aid to the Scotch court; and no sooner had these intrigues moved Balliol to resent the claims of his overlord than Philip found a pretext for open quarrel with Edward in the frays which went constantly on in the channel between the mariners of Normandy and those of the Cinque ports. They culminated at this moment in a great sea-fight which proved fatal to 8,000 Frenchmen, and for this Philip haughtily demanded redress. Edward saw at once the danger of his position. He did his best to allay the storm by promise of satisfaction to France, and by addressing threats of punishment to the English seamen. But Philip still clung to his wrong, while the national passion which was to prove for a hundred years to come strong enough to hold down the royal policy of peace showed itself in a characteristic defiance with which the seamen of the Cinque ports met Edward's menaces. "Be the king's council well advised," ran this remonstrance, "that if wrong or grievance be done them in any fashion against

right, they will sooner forsake wives, children, and all that they have, and go seek through the seas where they shall think to make their profit." In spite, therefore, of Edward's efforts the contest continued, and Philip found in it an opportunity to cite the king before his court at Paris for wrongs done to him as suzerain. It was hard for Edward to dispute the summons without weakening the position which his own sovereign courts had taken up toward the Scotch king, and in a final effort to avert the conflict the king submitted to a legal decision of the question, and to a formal cession of Guienne into Philip's hands for forty days in acknowledgment of his supremacy. Bitter as the sacrifice must have been it failed to win peace. The forty days had no sooner passed than Philip refused to restore the fortresses which had been left in pledge. In February, 1294, he declared the English king contumacious, and in May declared his fiefs forfeited to the French crown. Edward was driven to take up arms, but a revolt in Wales deferred the expedition to the following year. No sooner, however, was it again taken in hand than it became clear that a double danger had to be met. The summons which Edward addressed to the Scotch barons to follow him in arms to Guienne was disregarded. It was in truth, as we have seen, a breach of customary law, and was probably meant to force Scotland into an open declaration of its connection with France. A second summons was followed by a more formal refusal. The greatness of the danger threw Edward on England itself. For a war in Guienne and the north he needed sup-

plies; but he needed yet more the firm support of his people in a struggle which, little as he foresaw its ultimate results, would plainly be one of great difficulty and danger. In 1295 he called a parliament to counsel with him on the affairs of the realm, but with the large statesmanship which distinguished him he took this occasion of giving the parliament a shape and organization which has left its assembly the most important event in English history.

277. To realize its importance we must briefly review the changes by which the Great Council of the Norman kings had been gradually transforming itself into what was henceforth to be known as the English parliament. Neither the meeting of the Wise Men before the conquest, nor the Great Council of the barons after it, had been in any legal or formal way representative bodies. The first theoretically included all free-holders of land, but it shrank at an early time into a gathering of earls, higher nobles, and bishops, with the officers and thegns of the royal household. Little change was made in the composition of this assembly by the conquest, for the Great Council of the Norman kings was supposed to include all tenants who held directly of the crown, the bishops and greater abbots (whose character as independent spiritual members tended more and more to merge in their position as barons), and the high officers of the court. But though its composition remained the same, the character of the assembly was essentially altered; from a free gathering of "Wise Men" it sank to a royal court of feudal vassals. Its functions, too, seem to have become al-

most nominal and its powers to have been restricted to the sanctioning, without debate or possibility of refusal, all grants demanded from it by the crown. But nominal as such a sanction might be, the "counsel and consent" of the Great Council was necessary for the legal validity of every considerable fiscal or political measure. Its existence, therefore, remained an effectual protest against the imperial theories advanced by the lawyers of Henry the Second, which declared all legislative power to reside wholly in the sovereign. It was, in fact, under Henry that these assemblies became more regular, and their functions more important. The reforms which marked his reign were issued in the Great Council, and even financial matters were suffered to be debated there. But it was not till the grant of the Great Charter that the powers of this assembly over taxation were formally recognized, and the principle established that no burden beyond the customary feudal aids might be imposed "save by the Common Council of the realm."

278. The same document first expressly regulated its form. In theory, as we have seen, the Great Council consisted of all who held land directly of the crown. But the same causes which restricted attendance at the Witenagemote to the greater nobles told on the actual composition of the council of barons. While the attendance of the ordinary tenants in chief, the knights or "lesser barons" as they were called, was burdensome from its expense to themselves, their numbers and their dependence on the higher nobles made the assembly of these knights

dangerous to the crown. As early, therefore, as the time of Henry the First we find a distinction recognized between the "greater barons," of whom the council was usually composed, and the "lesser barons" who formed the bulk of the tenants of the crown. But though the attendance of the latter had become rare, their right of attendance remained intact. While enacting that the prelates and greater barons should be summoned by special writs to each gathering of the council, a remarkable provision of the Great Charter orders a general summons to be issued through the sheriff to all direct tenants of the crown. The provision was probably intended to rouse the lesser baronage to the exercise of rights which had practically passed into desuetude, but as the clause is omitted in later issues of the charter we may doubt whether the principle it embodied ever received more than a very limited application. There are traces of the attendance of a few of the lesser knighthood, gentry perhaps of the neighborhood where the assembly was held, in some of its meetings under Henry the Third, but till a late period in the reign of his successor the Great Council practically remained a gathering of the greater barons, the prelates, and the high officers of the crown.

279. The change which the Great Charter had failed to accomplish was now, however, brought about by the social circumstances of the time. One of the most remarkable of these was a steady decrease in the number of the greater nobles. The bulk of the earldoms had already lapsed to the

crown through the extinction of the families of their possessors; of the greater baronies, many had practically ceased to exist by their division among female co-heiresses, many through the constant struggle of the poorer nobles to rid themselves of their rank by a disclaimer, so as to escape the burden of higher taxation and attendance in parliament which it involved. How far this diminution had gone, we may see from the fact that hardly more than a hundred barons sat in the earlier councils of Edward's reign. But while the number of those who actually exercised the privilege of assisting in parliament was rapidly diminishing, the numbers and wealth of the "lesser baronage," whose right of attendance had become a mere constitutional tradition, was as rapidly increasing. The long peace and prosperity of the realm, the extension of its commerce, and the increased export of wool, were swelling the ranks and incomes of the country gentry as well as of the freeholders and substantial yeomanry. We have already noticed the effects of the increase of wealth in begetting a passion for the possession of land which makes this reign so critical a period in the history of the English freeholder; but the same tendency had to some extent existed in the preceding century, and it was a consciousness of the growing importance of this class of rural proprietors which induced the barons at the moment of the Great Charter to make their fruitless attempt to induce them to take part in the deliberations of the Great Council. But while the barons desired their presence as an aid against the crown, the crown itself

desired it as a means of rendering taxation more efficient. So long as the Great Council remained a mere assembly of magnates it was necessary for the king's ministers to treat separately with the other orders of the state as to the amount and assessment of their contributions. The grant made in the Great Council was binding only on the barons and prelates who made it; but before the aids of the boroughs, the church, or the shires could reach the royal treasury, a separate negotiation had to be conducted by the officers of the exchequer with the reeves of each town, the sheriff and shire court of each county, and the archdeacons of each diocese. Bargains of this sort would be the more tedious and disappointing as the necessities of the crown increased in the later years of Edward, and it became a matter of fiscal expediency to obtain the sanction of any proposed taxation through the presence of these classes in the Great Council itself.

280. The effort, however, to revive the old personal attendance of the lesser baronage, which had broken down half a century before, could hardly be renewed at a time when the increase of their numbers made it more impracticable than ever; but a means of escape from this difficulty was fortunately suggested by the very nature of the court through which alone a summons could be addressed to the landed knighthood. Amidst the many judicial reforms of Henry or Edward, the shire court remained unchanged. The haunted mound or the immemorial oak round which the assembly gathered (for the court was often held in the open air) were the relics

of a time before the free kingdom had sunk into a shire and its meetings of the wise into a county court. But save that the king's reeve had taken the place of the king, and that the Norman legislation had displaced the bishop and set four coroners by the sheriff's side, the gathering of the freeholders remained much as of old. The local knighthood, the yeomanry, the husbandmen of the county, were all represented in the crowd that gathered round the sheriff, as guarded by his liveried followers he published the king's writs, announced his demand of aids, received the presentment of criminals and the inquest of the local jurors, assessed the taxation of each district, or listened solemnly to appeals for justice, civil and criminal, from all who held themselves oppressed in the lesser courts of the hundred or the soke. It was in the county court alone that the sheriff could legally summon the lesser baronage to attend the Great Council, and it was in the actual constitution of this assembly that the crown found a solution of the difficulty which we have stated. For the principle of representation by which it was finally solved was coeval with the shire court itself. In all cases of civil or criminal justice the twelve sworn assessors of the sheriff, as members of a class, though not formally deputed for that purpose, practically represented the judicial opinion of the county at large. From every hundred came groups of twelve sworn deputies, the "jurors" through whom the presentments of the district were made to the royal officer, and with whom the assessment of its share in the general taxation was arranged. The

husbandmen on the outskirts of the crowd, clad in the brown smock frock which still lingers in the garb of our carters and plowmen, were broken up into little knots of five, a reeve and four assistants, each of which knots formed the representative of a rural township. If, in fact, we regard the shire courts as lineally the descendants of our earliest English witenagemotes, we may justly claim the principle of parliamentary representation as among the oldest of our institutions.

281. It was easy to give this principle a further extension by the choice of representatives of the lesser barons in the shire courts to which they were summoned; but it was only slowly and tentatively that this process was applied to the reconstruction of the Great Council. As early as the close of John's reign there are indications of the approaching change in the summons of "four discreet knights" from every county. Fresh need of local support was felt by both parties in the conflict of the succeeding reign, and Henry and his barons alike summoned knights from each shire "to meet on the common business of the realm." It was no doubt with the same purpose that the writs of Earl Simon ordered the choice of knights in each shire for his famous parliament of 1265. Something like a continuous attendance may be dated from the accession of Edward, but it was long before the knights were regarded as more than local deputies for the assessment of taxation, or admitted to a share in the general business of the Great Council. The statute "Quia Emptores," for instance, was passed in it be-

fore the knights who had been summoned could attend. Their participation in the deliberative power of parliament, as well as their regular and continuous attendance, dates only from the parliament of 1295. But a far greater constitutional change in their position had already taken place through the extension of electoral rights to the freeholders at large. The one class entitled to a seat in the Great Council was, as we have seen, that of the lesser baronage; and it was of the lesser baronage alone that the knights were in theory the representatives. But the necessity of holding their election in the county court rendered any restriction of the electoral body physically impossible. The court was composed of the whole body of freeholders, and no sheriff could distinguish the "aye, aye" of the yeoman from the "aye, aye" of the lesser baron. From the first moment, therefore, of their attendance, we find the knights regarded not as mere representatives of the baronage, but as knights of the shire, and by this silent revolution the whole body of the rural freeholders were admitted to a share in the government of the realm.

282. The financial difficulties of the crown led to a far more radical revolution in the admission into the Great Council of representatives from the boroughs. The presence of knights from each shire was the recognition of an older right, but no right of attendance or share in the national "council and assent" could be pleaded for the burgesses of the towns. On the other hand the rapid development of their wealth made them every day more important

as elements in the national taxation. From all payment of the dues or fines exacted by the king as the original lord of the soil on which they had in most cases grown up, the towns had long since freed themselves by what was called the purchase of the "farm of the borough;" in other words, by the commutation of these uncertain dues for a fixed sum paid annually to the crown and apportioned by their own magistrates among the general body of the burghers. All that the king legally retained was the right enjoyed by every great proprietor of levying a corresponding taxation on his tenants in demesne under the name of "a free aid" whenever a grant was made for the national necessities by the barons of the Great Council. But the temptation of appropriating the growing wealth of the mercantile class proved stronger than legal restrictions, and we find both Henry the Third and his son assuming the right of imposing taxes at pleasure and without any authority from the council even over London itself. The burgesses could refuse, indeed, the invitation to contribute to the "free aids" demanded by the royal officers, but the suspension of their markets or trading privileges brought them in the end to submission. Each of these "free aids," however, had to be extorted after a long wrangle between the borough and the officers of the exchequer; and if the towns were driven to comply with what they considered an extortion, they could generally force the crown, by evasions and delays, to a compromise and abatement of its original demands.

288. The same financial reasons therefore existed

for desiring the presence of borough representatives in the Great Council as existed in the case of the shires; but it was the genius of Earl Simon which first broke through the older constitutional tradition and summoned two burgesses from each town to the Parliament of 1265. Time had indeed to pass before the large and statesmanlike conception of the great patriot could meet with full acceptance. Through the earlier part of Edward's reign we find a few instances of the presence of representatives from the towns, but their scanty numbers and the irregularity of their attendance show that they were summoned rather to afford financial information to the Great Council than as representatives in it of an estate of the realm. But every year pleaded stronger and stronger for their inclusion, and in the parliament of 1295 that of 1265 found itself at last reproduced. "It was from me that he learnt it," Earl Simon had cried, as he recognized the military skill of Edward's onset at Evesham; "it was from me that he learnt it," his spirit might have exclaimed as he saw the king gathering at last two burgesses "from every city, borough, and leading town" within his realm to sit side by side with the knights, nobles, and barons of the Great Council. To the crown the change was from the first an advantageous one. The grants of subsidies by the burgesses in parliament proved more profitable than the previous extortions of the exchequer. The proportions of their grant generally exceeded that of the other estates. Their representatives, too, proved far more compliant with the royal will than the barons or knights of the

shire; only on one occasion during Edward's reign did the burgesses waver from their general support of the crown.

284. It was easy indeed to control them, for the selection of boroughs to be represented remained wholly in the king's hands, and their numbers could be increased or diminished at the king's pleasure. The determination was left to the sheriff, and at a hint from the royal council a sheriff of Wilts would cut down the number of represented boroughs in his shire from eleven to three, or a sheriff of Bucks declare he could find but a single borough, that of Wycomb, within the bounds of his county. Nor was this exercise of the prerogative hampered by any anxiety on the part of the towns to claim representative privileges. It was hard to suspect that a power before which the crown would have to bow lay in the ranks of soberly-clad traders, summoned only to assess the contributions of their boroughs, and whose attendance was as difficult to secure as it seemed burdensome to themselves and the towns who sent them. The mass of citizens took little or no part in their choice, for they were elected in the county court by a few of the principal burghers deputed for the purpose; but the cost of their maintenance, the two shillings a day paid to the burgess by his town as four were paid to the knight by his county, was a burden from which the boroughs made desperate efforts to escape. Some persisted in making no return to the sheriff. Some bought charters of exemption from the troublesome privilege. Of the 165 who were summoned by Edward the First, more than a

third ceased to send representatives after a single compliance with the royal summons. During the whole time from the reign of Edward the Third to the reign of Henry the Sixth the sheriff of Lancashire declined to return the names of any boroughs at all within that county "on account of their poverty." Nor were the representatives themselves more anxious to appear than their boroughs to send them. The busy country squire and the thrifty trader were equally reluctant to undergo the trouble and expense of a journey to Westminster. Legal measures were often necessary to insure their presence. Writs still exist in abundance such as that by which Walter le Rous is "held to bail in eight oxen and four cart-horses to come before the king on the day specified" for attendance in parliament. But in spite of obstacles such as these, the presence of representatives from the boroughs may be regarded as continuous from the parliament of 1295. As the representation of the lesser barons had widened through a silent change into that of the shire, so that of the boroughs—restricted in theory to those in the royal demesne—seems practically from Edward's time to have been extended to all who were in a condition to pay the cost of their representative's support. By a change as silent within the parliament itself, the burgess, originally summoned to take part only in matters of taxation, was at last admitted to a full share in the deliberations and authority of the other orders of the State.

285. The admission of the burgesses and knights of the shire to the assembly of 1295 completed the

fabric of our representative constitution. The Great Council of the Barons became the parliament of the realm. Every order of the state found itself represented in this assembly, and took part in the grant of supplies, the work of legislation, and in the end the control of government. But though in all essential points the character of parliament has remained the same from that time to this, there were some remarkable particulars in which the assembly of 1295 differed widely from the present parliament at St. Stephen's. Some of these differences, such as those which sprang from the increased powers and changed relations of the different orders among themselves, we shall have occasion to consider at a later time. But a difference of a far more startling kind than these lay in the presence of the clergy. If there is any part in the parliamentary scheme of Edward the First which can be regarded as especially his own, it is his project for the representation of the ecclesiastical order. The king had twice at least summoned its "proctors" to great councils before 1295, but it was then only that the complete representation of the church was definitely organized by the insertion of a clause in the writ which summoned a bishop to parliament, requiring the personal attendance of all archdeacons, deans, or priors of cathedral churches, of a proctor for each cathedral chapter, and two for the clergy within his diocese. The clause is repeated in the writs of the present day, but its practical effect was foiled almost from the first by the resolute opposition of those to whom it was addressed. What the towns failed in doing

the clergy actually did. Even when forced to comply with the royal summons, as they seem to have been forced during Edward's reign, they sat jealously by themselves, and their refusal to vote supplies in any but their own provincial assemblies, or convocations, of Canterbury and York, left the crown without a motive for insisting on their continued attendance. Their presence, indeed, though still at times granted on some solemn occasions, became so pure a formality that by the end of the fifteenth century it had sunk wholly into desuetude. In their anxiety to preserve their existence as an isolated and privileged order the clergy flung away a power which, had they retained it, would have ruinously hampered the healthy development of the state. To take a single instance, it is difficult to see how the great changes of the reformation could have been brought about had a good half of the house of commons consisted purely of churchmen, whose numbers would have been backed by the weight of their property as possessors of a third of the landed estates of the realm.

286. A hardly less important difference may be found in the gradual restriction of the meetings of parliament to Westminster. The names of Edward's statutes remind us of its convocation at the most various quarters, at Winchester, Acton Burnell, Northampton. It was at a later time that parliament became settled in the straggling village which had grown up in the marshy swamp of the Isle of Thorns beside the palace whose embattled pile towered over the Thames and the new West-minster

which was still rising in Edward's day on the site of the older church of the Confessor. It is possible that, while contributing greatly to its constitutional importance, this settlement of the parliament may have helped to throw into the background its character as a supreme court of appeal. The proclamation by which it was called together invited "all who had any grace to demand of the king in parliament, or any plaint to make of matters which could not be redressed or determined by ordinary course of law, or who had been in any way aggrieved by any of the king's ministers or justices or sheriffs, or their bailiffs, or any other officer, or have been unduly assessed, rated, charged, or surcharged to aids, subsidies, or taxes," to deliver their petitions to receivers who sat in the great hall of the palace of Westminster. The petitions were forwarded to the king's council, and it was probably the extension of the jurisdiction of that body and the rise of the court of chancery which reduced this ancient right of the subject to the formal election of "triers of petitions" at the opening of every new parliament by the house of lords, a usage which is still continued. But it must have been owing to some memory of the older custom that the subject always looked for redress against injuries from the crown or its ministers to the parliament of the realm.

287. The subsidies granted by the parliament of 1295 furnished the king with the means of warfare with both Scotland and France, while they assured him of the sympathy of his people in the contest. But from the first the reluctance of Edward to enter

on the double war was strongly marked. The refusal of the Scotch baronage to obey his summons had been followed on Balliol's part by two secret steps which made a struggle inevitable—by a request to Rome for absolution from his oath of fealty, and by a treaty of alliance with Philip the Fair. As yet, however, no open breach had taken place, and while Edward in 1296 summoned his knighthood to meet him in the north, he called a parliament at Newcastle in the hope of bringing about an accommodation with the Scot king. But all thought of accommodation was roughly ended by the refusal of Balliol to attend the parliament, by the rout of a small body of English troops, and by the Scotch investment of Carlisle. Taken as he was by surprise, Edward showed at once the vigor and rapidity of his temper. His army marched upon Berwick. The town was a rich and well-peopled one, and although a wooden stockade furnished its only rampart, the serried ranks of citizens behind it gave little hope of an easy conquest. Their taunts, indeed, stung the king to the quick. As his engineers threw up rough intrenchments for the besieging army the burghers bade him wait till he won the town before he began digging round it. "Kynge Edward," they shouted, "waune thou havest Berwick, pike thee; waune thou havest geten, dike thee." But the stockade was stormed with the loss of a single knight, nearly 8,000 of the citizens were mown down in a ruthless carnage, and a handful of Flemish traders, who held the town-hall stoutly against all assailants, were burned alive in it. The

massacre only ceased when a procession of priests bore the host to the king's presence, praying for mercy. Edward, with a sudden and characteristic burst of tears, called off his troops; but the town was ruined forever, and the greatest merchant city of Northern Britain sank from that time into a petty seaport.

288. At Berwick Edward received Balliol's formal defiance. "Has the fool done this folly?" the king cried in haughty scorn; "if he will not come to us, we will come to him." The terrible slaughter, however, had done its work, and his march northward was a triumphal progress. Edinburgh, Stirling, and Perth opened their gates, Bruce joined the English army, and Balliol himself surrendered, and passed without a blow, from his throne to an English prison. No further punishment, however, was exacted from the prostrate realm. Edward simply treated it as a fief, and declared its forfeiture to be the legal consequence of Balliol's treason. It lapsed, in fact, to its suzerain; and its earls, barons, and gentry swore homage in parliament at Berwick to Edward as their king. The sacred stone on which its older sovereigns had been installed, an oblong block of limestone, which legend asserted to have been the pillow of Jacob, as angels ascended and descended upon him, was removed from Scone and placed in Westminster by the shrine of the Confessor. It was inclosed by Edward's order in a stately seat, which became from that hour the coronation chair of the English kings. To the king himself the whole business must have seemed another and easier

conquest of Wales, and the mercy and just government which had followed his first success, followed his second also. The government of the new dependency was intrusted to John of Warenne, Earl of Surrey, at the head of an English council of regency. Pardon was freely extended to all who had resisted the invasion, and order and public peace were rigidly enforced.

289. But the triumph, rapid and complete as it was, had more than exhausted the aids granted by the parliament. The treasury was utterly drained. The struggle, indeed, widened as every month went on; the costly fight with the French in Gascony called for supplies, while Edward was planning a yet costlier attack on Northern France, with the aid of Flanders. Need drove him on his return from Scotland in 1297 to measures of tyrannical extortion which seemed to recall the times of John. His first blow fell on the church. At the close of 1294 he had already demanded half their annual income from the clergy, and so terrible was his wrath at their resistance that the dean of St. Paul's, who stood forth to remonstrate, dropped dead of sheer terror at his feet. "If any oppose the king's demand," said a royal envoy in the midst of the convocation, "let him stand up that he may be noted as an enemy to the king's peace." The outraged churchmen fell back on an untenable plea that their aid was due solely to Rome, and alleged the bull of "Clericis Laicos," issued by Boniface the Eighth at this moment, a bull which forbade the clergy to pay secular taxes from their ecclesiastical revenues, as a

ground for refusing to comply with further taxation. In 1297 Archbishop Winchelsey refused on the ground of this bull to make any grant, and Edward met his refusal by a general outlawry of the whole order. The king's courts were closed, and all justice denied to those who refused the king aid. By their actual plea the clergy had put themselves formally in the wrong, and the outlawry soon forced them to submission; but their aid did little to recruit the exhausted treasury. The pressure of the war steadily increased, and far wider measures of arbitrary taxation were needful to equip an expedition which Edward prepared to lead in person to Flanders. The country gentlemen were compelled to take up knighthood, or to compound for exemption from the burdensome honor, and forced contributions of cattle and corn were demanded from the counties. Edward no doubt purposed to pay honestly for these supplies, but his exactions from the merchant class rested on a deliberate theory of his royal rights. He looked on the customs as levied absolutely at his pleasure, and the export duty on wool—now the staple produce of the country—was raised to six times its former amount. Although he infringed no positive provision of charter or statute in his action, it was plain that his course really undid all that had been gained by the Barons' war. But the blow had no sooner been struck than Edward found stout resistance within his realm. The barons drew together and called a meeting for the redress of their grievances. The two greatest of the English nobles, Humfrey de Bohun, Earl of Hereford, and Roger

Bigod, Earl of Norfolk, placed themselves at the head of the opposition. The first was constable, the second earl-marshal, and Edward bade them lead a force to Gascony as his lieutenants while he himself sailed to Flanders. Their departure would have left the baronage without leaders, and the two earls availed themselves of a plea that they were not bound to foreign service save in attendance on the king to refuse obedience to the royal orders. "By God, sir earl," swore the king to the earl-marshal, "you shall either go or hang!" "By God, sir king," was the cool reply, "I will neither go nor hang!" Both parties separated in bitter anger; the king to seize fresh wool, to outlaw the clergy, and to call an army to his aid; the barons to gather in arms, backed by the excommunication of the primate. But the strife went no further than words. Ere the parliament he had convened could meet, Edward had discovered his own powerlessness; Winchelsey offered his mediation; and Edward confirmed the Great Charter and the charter of forests as the price of a grant from the clergy and a subsidy from the commons. With one of those sudden revulsions of feeling of which his nature was capable, the king stood before his people in Westminster Hall and owned, with a burst of tears, that he had taken their substance without due warrant of law. His passionate appeal to their loyalty wrested a reluctant assent to the prosecution of the war, and in August Edward sailed for Flanders, leaving his son regent of the realm. But the crisis had taught the need of further securities against the royal power, and as Edward

was about to embark the barons demanded his acceptance of additional articles to the charter, expressly renouncing his right of taxing the nation without its own consent. The king sailed without complying, but Winchelsey joined the two earls and the citizens of London in forbidding any levy of supplies till the Great Charter with these clauses was again confirmed, and the trouble in Scotland, as well as the still pending strife with France, left Edward helpless in the barons' hands. The Great Charter and the charter of the forests were solemnly confirmed by him at Ghent in November; and formal pardon was issued to the Earls of Hereford and Norfolk.

290. The confirmation of the charter, the renunciation of any right to the exactions by which the people were aggrieved, the pledge that the king would no more take "such aids, tasks, and prizes but by common assent of the realm," the promise not to impose on wool any heavy customs or "mâletot" without the same assent was the close of the great struggle which had begun at Runnymede. The clauses so soon removed from the Great Charter were now restored; and evade them as they might, the kings were never able to free themselves from the obligation to seek aid solely from the general consent of their subjects. It was Scotland which had won this victory for English freedom. At the moment when Edward and the earls stood face to face the king saw his work in the north suddenly undone. Both the justice and the injustice of the new rule proved fatal to it. The wrath of the Scots, al-

ready kindled by the intrusion of English priests into Scotch livings and by the grant of lands across the border to English barons, was fanned to fury by the strict administration of law and the repression of feud and cattle-lifting. The disbanding, too, of troops, which was caused by the penury of the royal exchequer, united with the license of the soldiery who remained to quicken the national sense of wrong. The disgraceful submission of their leaders brought the people themselves to the front. In spite of a hundred years of peace the farmer of Fife or the Lowlands and the artisan of the towns remained stout-hearted Northumbrian Englishmen. They had never consented to Edward's supremacy, and their blood rose against the insolent rule of the stranger. The genius of an outlaw knight, William Wallace, saw in their smoldering discontent a hope of freedom for his country, and his daring raids on outlying parties of the English soldiery roused the country at last into revolt.

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pass between the north and the south, and awaited the English advance. It was here that he was found by the English army. The offers of John of Warenne were scornfully rejected. "We have come," said the Scottish leader, "not to make peace, but to free our country." The position of Wallace behind a loop of Forth was, in fact, chosen with consummate skill. The one bridge which crossed the river was only broad enough to admit two horsemen abreast; and though the English army had been passing from daybreak, but half its force was across at noon, when Wallace closed on it and cut it, after a short combat, to pieces in sight of its comrades. The retreat of the Earl of Surrey over the border left Wallace head of the country he had freed, and for a few months he acted as "guardian of the realm" in Balliol's name, and headed a wild foray into Northumberland, in which the barbarous cruelties of his men left a bitter hatred behind them which was to wreak its vengeance in the later bloodshed of the war. His reduction of Stirling Castle at last called Edward to the field. In the spring of 1298 the king's diplomacy had at last wrung a truce for two years from Philip the Fair; and he at once returned to England to face the troubles in Scotland. Marching northward with a larger host than had ever followed his banner, he was enabled by treachery to surprise Wallace as he fell back to avoid an engagement, and to force him on the 22d of July to battle near Falkirk. The Scotch force consisted almost wholly of foot, and Wallace drew up his spearmen in four great hollow circles or squares,

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the outer ranks kneeling and the whole supported by bowmen within, while a small force of horse were drawn up as a reserve in the rear. It was the formation of Waterloo, the first appearance in our history since the day of Senlac of "that unconquerable British infantry" before which chivalry was destined to go down. For a moment it had all Waterloo's success. "I have brought you to the ring, hop (dance) if you can," are words of rough humor that reveal the very soul of the patriot leader, and the serried ranks answered well to his appeal. The Bishop of Durham, who led the English van, shrank wisely from the look of the squares. "Back to your mass, bishop," shouted the reckless knights behind him, but the body of horse dashed itself vainly on the wall of spears. Terror spread through the English army, and its Welsh auxiliaries drew off in a body from the field. But the generalship of Wallace was met by that of the king. Drawing his bowmen to the front, Edward riddled the Scottish ranks with arrows, and then hurled his cavalry afresh on the wavering line. In a moment all was over; the maddened knights rode in and out of the broken rank slaying without mercy. Thousands fell on the field, and Wallace himself escaped with difficulty, followed by a handful of men.

292. But, ruined as the cause of freedom seemed, his work was done. He had roused Scotland into life, and even a defeat like Falkirk left her unconquered. Edward remained master only of the ground he stood on: want of supplies forced him at last to retreat; and in the summer of the following

year, 1299, when Balliol, released from his English prison, withdrew into France, a regency of the Scotch nobles under Robert Bruce and John Comyn continued the struggle for independence. Troubles at home and danger from abroad stayed Edward's hand. The barons still distrusted his sincerity, and though at their demand he renewed the confirmation in the spring of 1299, his attempt to add an evasive clause, saving the right of the crown, proved the justice of their distrust. In spite of a fresh and unconditional renewal of it, a strife over the forest charter went on till the opening of 1301, when a new gathering of the barons in arms, with the support of Archbishop Winchelsey, wrested from him its full execution. What aided freedom within was as of old the peril without. France was still menacing, and a claim advanced by Pope Boniface the Eighth, at its suggestion, to the feudal superiority over Scotland arrested a new advance of the king across the border. A quarrel, however, which broke out between Philip Le Bel and the Papacy removed all obstacles. It enabled Edward to defy Boniface and to wring from France a treaty in which Scotland was abandoned. In 1304 he resumed the work of invasion, and again the nobles flung down their arms as he marched to the north. Comyn at the head of the regency acknowledged his sovereignty, and the surrender of Stirling completed the conquest of Scotland. But the triumph of Edward was only the prelude to the carrying out of his designs for knitting the two countries together by a generosity and wisdom which reveal the greatness of his statesman-

ship. A general amnesty was extended to all who had shared in the resistance. Wallace, who refused to avail himself of Edward's mercy, was captured and condemned to death at Westminster on charges of treason, sacrilege, and robbery. The head of the great patriot, crowned in mockery with a circlet of laurel, was placed upon London bridge. But the execution of Wallace was the one blot on Edward's clemency. With a masterly boldness he intrusted the government of the country to a council of Scotch nobles, many of whom were freshly pardoned for their share in the war, and anticipated the policy of Cromwell by allotting ten representatives to Scotland in the common parliament of his realm. A convocation was summoned at Perth for the election of these representatives, and a great judicial scheme which was promulgated in this assembly adopted the amended laws of King David as the base of a new legislation, and divided the country for judicial purposes into four districts, Lothian, Galloway, the Highlands, and the lands between the Highlands and the Forth, at the head of each of which were placed two justiciaries, the one English and the other Scotch.

293. With the conquest and settlement of Scotland the glory of Edward seemed again complete. The bitterness of his humiliation at home still preyed upon him, and in measure after measure we see his purpose of renewing the strife with the baronage. In 1303 he found a means of evading his pledge to levy no new taxes on merchandise save by assent of the realm in a consent of the foreign merchants, whether procured by royal pressure or no, to pur-

chase by stated payments certain privileges of trading. In this "new custom" lay the origin of our import duties. A formal absolution from his promises which he obtained from Pope Clement the Fifth in 1305, showed that he looked on his triumph in the north as enabling him to reopen the questions which he had yielded. But again Scotland stayed his hand. Only four months had passed since its submission, and he was preparing for a joint parliament of the two nations at Carlisle, when the conquered country suddenly sprang again to arms. Its new leader was Robert Bruce, a grandson of one of the original claimants of the crown. The Norman house of Bruce formed a part of the Yorkshire baronage, but it had acquired through intermarriages the earldom of Carrick and the lordship of Annandale. Both the claimant and his son had been pretty steadily on the English side in the contest with Balliol and Wallace, and Robert had himself been trained in the English court and stood high in the king's favor. But the withdrawal of Balliol gave a new force to his claims upon the crown, and the discovery of an intrigue which he had set on foot with the Bishop of St. Andrews so roused Edward's jealousy that Bruce fled for his life across the border. Early in 1306 he met Comyn, the lord of Badenoch, to whose treachery he attributed the disclosure of his plans, in the church of the Gray Friars at Dumfries, and after the interchange of a few hot words struck him with his dagger to the ground. It was an outrage that admitted of no forgiveness, and Bruce for very safety was forced to

assume the crown six weeks after in the Abbey of Scone. The news roused Scotland again to arms, and summoned Edward to a fresh contest with his unconquerable foe. But the murder of Comyn had changed the king's mood to a terrible pitilessness. He threatened death against all concerned in the outrage, and exposed the Countess of Buchan, who had set the crown on Bruce's head, in a cage or open chamber built for the purpose in one of the towers of Berwick. At the solemn feast which celebrated his son's knighthood Edward vowed on the swan which formed the chief dish at the banquet to devote the rest of his days to exact vengeance from the murderer himself. But even at the moment of the vow Bruce was already flying for his life to the western islands. "Henceforth," he said to his wife at their coronation, "thou art queen of Scotland and I king." "I fear," replied Mary Bruce, "we are only playing at royalty like children in their games." The play was soon turned into bitter earnest. A small English force under Aymer de Valence sufficed to rout the disorderly levies which gathered round the new monarch, and the flight of Bruce left his followers at Edward's mercy. Noble after noble was sent to the block. The Earl of Athole pleaded kindred with royalty. "His only privilege," burst forth the king, "shall be that of being hanged on a higher gallows than the rest." Knights and priests were strung up side by side by the English justiciaries; while the wife and daughters of Robert Bruce were flung into Edward's prisons. Bruce himself had offered to capitulate to Prince Edward. But

the offer only roused the old king to fury. "Who is so bold," he cried, "as to treat with our traitors without our knowledge?" and rising from his sick bed he led his army northward in the summer of 1807 to complete the conquest. But the hand of death was upon him, and in the very sight of Scotland the old man breathed his last at Burgh-upon-sands.

